



भारत का राजपत्र The Gazette of India

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No. 13]

NEW DELHI, SATURDAY, MARCH 31, 2001/CHAITRA 10, 1923

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India.
(Other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

MINISTRY OF LAW, JUSTICE AND COMPANY
AFFAIRS

(कम्पनी कार्य विभाग)

(Department of Company Affairs)

नई दिल्ली 16 मार्च, 2001

New Delhi, the 16th March, 2001

का.धा 669— केन्द्रीय सरकार राजभाषा (संघ
के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के
नियम 10 के उपनियम (4) के अनुसरण में विभाग के
निम्नलिखित कार्यालयों को जिनके कर्मचारियों ने हिन्दी का
कार्यसाधक ज्ञान प्राप्त कर लिया है अधिसूचित करती है —

SO 669.—In pursuance of Sub-rule (4) of
Rule 10 of the Official Language (use for the
official purpose of the Union) Rules, 1976 the
Central Government hereby notifies the following
two offices whereof 80 per cent officers|employees
have acquired working knowledge of Hindi.

1 कम्पनी रजिस्ट्रार, हैदराबाद

1. Registrar of Companies, Hyderabad

2 शासकीय समापक, इन्दौर

2. Official Liquidator, Indore

[स ई-12018/2/99-हिन्दी]

[No. E-12018/2/99-Hindi]

सत पाल, अधर सचिव

SAT PAL, Under Secy.

गृह मंत्रालय

(पुनर्वास प्रभाग)

नई दिल्ली, 19 मार्च, 2001

का.प्र. 670.—1980 के अधिनियम 61 तथा 1984 के अधिनियम 35 द्वारा यथा संशोधित लोक परिसर (अवैध कब्जेदारों का निष्कासन) अधिनियम, 1971 (1971 का 40) के खंड 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा पुनर्वास प्रभाग, गृह मंत्रालय में प्रवर सचिव श्री बी. एन. साहिरी को सरकार का राजपत्रित अधिकारी होने के नाते, उक्त अधिनियम के उद्देश्य के लिए संपदा अधिकारी नियुक्त करती है। वे राष्ट्रीय राजधानी क्षेत्र, दिल्ली में स्थित प्लॉट सं. ई-51-52, कीर्ति नगर, नई दिल्ली में स्थित लोक परिसरों के संबंध में उक्त अधिनियम के तहत एक संपदा अधिकारी की शक्तियों का प्रयोग तथा कर्तव्यों का निष्पादन करेंगे।

2. इसके द्वारा दिनांक 2 सितम्बर, 1999 की समसंख्यक अधिसूचना का अधिकरण होता है।

[सं. 1(2)/97-बंदोबस्त]

फूल सिंह, निदेशक (आर-I)

MINISTRY OF HOME AFFAIRS

(Rehabilitation Division)

New Delhi, the 19th March, 2001

S.O. 670.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) as amended by Act 61 of 1980 and Act 35 of 1984, the Central Government hereby appoints Shri B. N. Lahiri, Under Secretary, Rehabilitation Division, Ministry of Home Affairs, to function as an Estate Officer for the purpose of the said Act. He shall exercise the powers and perform the duties of an Estate Officer under the said Act in respect of Public Premises, situated at the Plot No. E-51-52, Kirti Nagar, New Delhi in the National Capital territory of Delhi.

2. This supersedes the Notification of even number dated 2nd September, 1999.

[No. 1(2)/97-Settlement]

PHOOL SINGH, Director(R-I)

नई दिल्ली, 19 मार्च, 2001

का.प्र. 671.—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा गृह मंत्रालय पुनर्वास प्रभाग में प्रवर सचिव श्री बी. एन. साहिरी को उक्त अधिनियम के द्वारा दथवा उसके तहत बंदोबस्त आयुक्त को सौंपे गए कार्यों का निष्पादन करने के उद्देश्य से बंदोबस्त आयुक्त के रूप में नियुक्त करती है।

2. इसके द्वारा 22-7-1999 की अधिसूचना सं. 1(2)/99-बंदोबस्त का अधिकरण किया जाता है।

[सं. 1(2)/99-बंदोबस्त]

फूल सिंह, निदेशक (आर-I)

New Delhi, the 19th March, 2001

S.O. 671.—In exercise of the powers conferred by Sub-Section (i) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri B. N. Lahiri, Under Secretary in the Ministry of Home Affairs, Rehabilitation Division as Settlement Commissioner for the purpose of performing the functions assigned to a Settlement Commissioner by or under the said Act.

2. This supersedes Notification No. 1(2)/99-Settlement, dated the 22nd July, 1999.

[No. 1(2)/99-Settlement]

PHOOL SINGH, Director(R-I)

नई दिल्ली, 19 मार्च, 2001

का.प्र. 672.—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 34 की उप-धारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैं एस. के. चट्टोपाध्याय मुख्य बंदोबस्त आयुक्त एतद्वारा गृह मंत्रालय पुनर्वास प्रभाग में प्रवर सचिव, श्री बी. एन. साहिरी, जिन्हें दिनांक 19-3-2001 की समसंख्यक अधिसूचना के तहत बंदोबस्त आयुक्त के रूप में नियुक्त किया गया है, को उक्त अधिनियम की धारा 23 और 24 के तहत शक्तियों तथा इन धाराओं के तहत अपनी सुने और पुनरीक्षण करने के प्रयोजन से शक्तियों सौंपता हूँ।

2. इसके द्वारा दिनांक, 22 जुलाई, 1999 की अधिसूचना सं. 1(2)/99-बंदोबस्त का अधिकरण किया जाता है।

[सं. 1(2)/99 बंदोबस्त]

एस. के. चट्टोपाध्याय, मुख्य बंदोबस्त आयुक्त

New Delhi, the 19th March, 2001

S.O. 672.—In exercise of the powers conferred by Sub-Section 2 of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, S. K. Chattopadhyay, Chief Settlement Commissioner hereby delegate to Shri B. N. Lahiri, Under Secretary in the Ministry of Home Affairs, Rehabilitation Division, who has been appointed as Settlement Commissioner vide Notification of even number dated the 19th March, 2001, the powers under Sections 23 & 24 of the said Act for the purpose of hearing appeals and revisions under these Sections.

2. This supersedes Notification No. 1(2)/99-Settlement dated 22nd July, 1999.

[No. 1(2)/99-Settlement]

S. K. CHATTOPADHYAY, Chief Settlement Commissioner

कार्मिक लोक निकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 13 मार्च, 2001

का.मा. 673:—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए उत्तरांचल राज्य सरकार, गृह विभाग की अधिसूचना सं. 70/होम/(सीबीआई)/2001 दिनांक 18 जनवरी 2001 द्वारा प्राप्त उत्तरांचल राज्य सरकार की सहमति से पूर्वोक्त अधिसूचना की अनुसूची 1 में निर्दिष्ट अपराधों तथा उपर्युक्त अपराधों से संबंधित अपराध संसक्त

प्रयत्न, वृद्धरण और वडयंत्र तथा उसी संव्यवहार के अनुक्रम में किए गए अपराध उन्हीं तथ्यों से जन्मित किसी अन्य अपराध/ अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण उत्तरांचल राज्य पर करती है। तथापि, इसके साथ यह शर्त जुड़ी है कि उत्तरांचल राज्य सरकार द्वारा नियंत्रित लोक सेवकों से संबंधित मामलों में ऐसा कोई अन्वेषण राज्य सरकार की पूर्व लिखित अनुमति के बिना नहीं किया जाएगा।

[सं. 228/61/2000/ए. बी. बी.-II]

हरि सिंह, प्रवर सचिव

अपराधों की सूची

अनुसूची-1

भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 114, 120-बी, 121, 121-ए, 122, 123, 124, 124-ए, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 140, 143, 147, 148, 149, 153-ए, 153-बी, 161, 162, 163, 164, 165, 165-ए, 166, 167, 167, 168, 169, 171-ई, 171-एफ, 182, 186, 188, 189, 190, 193, 196, 197, 198, 199, 200, 201, 204, 211, 212, 214, 216, 216-ए, 218, 220, 222, 223, 224, 225, 225-बी, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 263-ए, 277, 279, 284, 285, 286, 292, 295, 295-ए, 302, 303, 304, 304-ए, 304-बी, 306, 307, 308, 309, 323, 324, 325, 326, 328, 330, 331, 332, 333, 336, 337, 338, 341, 342, 343, 344, 346, 347, 352, 353, 354, 355, 363, 363-ए, 364, 364-ए, 365, 366, 367, 368, 376, 378-ए, 378-बी, 378-सी, 378-डी, 378, 380, 381, 382, 384, 385, 386, 387, 388, 389, 392, 393, 394, 395, 396, 397, 398, 399, 401, 402, 403, 406, 407, 408, 409, 411, 412, 413, 414, 417, 418, 419, 420, 421, 426, 427, 429, 431, 435, 436, 440, 447, 448, 452, 454, 456, 457, 460, 461, 465, 466, 467, 468, 469, 471, 472, 473, 474, 475, 476, 477, 477-ए, 489, 489-ए, 489-बी, 489-सी, 489-डी, 489-ई, 495, 498-ए, 499, 500, 501, 502, 504, 505, 506, 507, 509 के अधीन दंडनीय अपराध ।

केन्द्रीय अधिनियम

(क) के अधीन दंडनीय अपराध :—

1. वायुयान अधिनियम, 1934 (1934 का अधिनियम सं. 22) और उक्त अधिनियम के अधीन बनाए गए नियम।
2. याम-हরণ निवारण अधिनियम, 1982 (1982 का अधिनियम सं. 65)
3. पुरावशेष तथा बहुमूल्य कलाकृति अधिनियम, 1972 (1972 का अधिनियम सं. 52)
4. पुरावशेष (निर्यात नियंत्रण) अधिनियम, 1947 (1947 का अधिनियम सं. 31) निरस्त
5. आयुध अधिनियम, 1959 (1959 का अधिनियम सं. 54)
6. परमाणु ऊर्जा अधिनियम, 1962 (1962 का अधिनियम सं. 33)
7. केन्द्रीय उत्पाद शुल्क तथा नमक अधिनियम, 1944 (1944 का अधिनियम सं. 1)
8. कम्पनी अधिनियम, 1956 (1956 का अधिनियम सं. 1)
9. सीमा शुल्क अधिनियम, 1962 (1962 का अधिनियम सं. 52)
10. औषधि तथा प्रसाधन सामग्री अधिनियम, 1940 (1940 का अधिनियम सं. 23)
11. आवश्यक वस्तु अधिनियम, 1955 (1955 का अधिनियम सं. 10)

12. बिस्फोटक अधिनियम, 1884 (1884 का अधिनियम सं. 4)
13. बिस्फोटक पदार्थ अधिनियम, 1908 (1908 का अधिनियम सं. 6)
14. आपात उपबंध (जारी रखना) अध्यादेश, 1946 (1946 का अध्यादेश सं. 20) यदि केन्द्रीय सरकार के कर्मचारियों द्वारा किया गया हो।
15. बिद्युत अधिनियम, 1910 (1910 का अधिनियम सं. 9)
16. विदेशी अभिदाय (विनियमन) अधिनियम, 1976 (1976 का अधिनियम सं. 49)
17. विदेशियों विषयक अधिनियम, 1946 (1946 का अधिनियम सं. 31)
18. विदेशी मुद्रा विनियमन अधिनियम, 1973 (1973 का अधिनियम सं. 46)
19. साधारण बीमा कारबार (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का अधिनियम सं. 57)
20. दान-कर अधिनियम, 1958 (1958 का अधिनियम सं. 18)
21. आयकर अधिनियम, 1961 (1961 का अधिनियम सं. 43)
22. आयात एवं निर्यात (नियंत्रण) अधिनियम, 1947 (1947 का अधिनियम सं. 10)
23. बीमा अधिनियम, 1938 (1938 का अधिनियम सं. 4)
24. उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का अधिनियम सं. 65)
25. मोटर यान अधिनियम, 1988
26. स्वायत्त ओषधि तथा मनःप्रभावी पदार्थ अधिनियम, 1985 (1985 का अधिनियम सं. 61)
27. शासकीय गुप्त बात अधिनियम, 1923 (1923 का अधिनियम सं. 19)
28. पारपत्र अधिनियम, 1920 (1920 का अधिनियम सं. 24) और पारपत्र नियमावली, 1950 का नियम 6।
29. पारपत्र (भारत में प्रवेश) नियमावली, 1950 संश्लिष्ट पारपत्र (भारत में प्रवेश) अधिनियम, 1920 (1920 का अधिनियम सं. 34)
30. पासपोर्ट अधिनियम, 1967 (1967 का अधिनियम सं. 15)
31. अष्टाचार निवारण अधिनियम, 1947 (1947 का अधिनियम सं. 2)
32. अष्टाचार निवारण अधिनियम, 1988 (1988 का अधिनियम सं. 49)
33. भारतीय डाकघर अधिनियम, 1898 (1898 का अधिनियम सं. 6)
34. खाद्य अपशिष्ट निवारण अधिनियम, 1954 (1954 का अधिनियम सं. 37)
35. लोक संपत्ति नुकसान निवारण अधिनियम, 1984 (1984 का अधिनियम सं. 3)
36. स्वायत्त ओषधि तथा मनःप्रभावी पदार्थों का अवैध व्यापार निवारण अधिनियम, 1988 (1988 का अधिनियम सं. 46)
37. भारतीय रेल अधिनियम, 1890 (1890 का अधिनियम सं. 9)
38. रेल सामग्री (विधि-विरुद्ध कब्जा) अधिनियम, 1955 (1955 का अधिनियम सं. 51)
39. लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का अधिनियम सं. 43)
40. लोक प्रतिनिधित्व अधिनियम, 1950 (1950 का अधिनियम सं. 43)
41. विदेशियों का रजिस्ट्रीकरण अधिनियम, 1939 (1939 का अधिनियम सं. 16)
42. सिविल विमानन सुरक्षा विधि विरुद्ध कार्य करने वाला अधिनियम, 1982 (1982 का अधिनियम सं. 66)

43. धार्मिक संस्थानों (व्यवस्थापन निवारण) अधिनियम, 1988 (1988 का अधिनियम सं. 41)
44. भारतीय तार अधिनियम, 1885 (1885 का अधिनियम सं. 13)
45. तार यंत्र संबंधी तार (विधि विरुद्ध कब्जा) अधिनियम, 1950 (1950 का अधिनियम सं. 74)
46. प्रांतिकवादी तथा विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1985 (1985 का अधिनियम सं. 31) और उसके अन्तर्गत बनाए गए नियम ।
47. प्रांतिकवादी तथा विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987 (1987 का अधिनियम सं. 28) तथा उसके अन्तर्गत बनाए गए नियम ।

के अधीन दंडनीय अपराध —

48. विधि विरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1987 (1987 का अधिनियम सं. 37)
49. भारतीय बेतार तार यांत्रिकी अधिनियम, 1933 (1933 का अधिनियम सं. 17)
50. धन कर अधिनियम, 1957 (1957 का अधिनियम सं. 27)
51. राष्ट्र गौरव अपमान निवारण अधिनियम, 1971 (1971 का अधिनियम सं. 89)
52. अनुसूचित जाति और अनुसूचित जनजाति (अत्याचार निवारण) अधिनियम, 1989 की धारा 3 और 4
53. परक्राम्य लिखित अधिनियम, 1881 (1881 का अधिनियम सं. 26) की धारा 138
54. उत्प्रवास अधिनियम, 1983 (1983 का अधिनियम सं. 31) की धारा 24
55. बेनामी सेवा (निरोध) अधिनियम, 1988 (1988 का अधिनियम सं. 45) की धारा 3
56. वन्य जीव (संरक्षण) अधिनियम, 1972 (1972 का अधिनियम सं. 53) की धारा 51
57. भारतीय प्रतिभूति एवं विनियम बोर्ड अधिनियम, 1992 की धारा 24
58. राज्यक्षेत्रीय सागर-खंड, महाद्वीपीय मग्नतट भूमि, अन्य आर्थिक क्षेत्र और अन्य सामुद्रिक क्षेत्र अधिनियम, 1976 (1976 का अधिनियम सं. 80) की धारा 11 और 12

के अधीन दंडनीय अपराध —

59. प्रतिलिप्याधिकार अधिनियम, 1957 (1957 का अधिनियम सं. 14) की धारा 83, 63-ए, 63-बी, 65, 67, 68, 68-ए और 69
60. स्वायत्त औषधि तथा मन:प्रभावी पदार्थ अधिनियम, 1985 (1985 का अधिनियम सं. 61) की धारा 25-ए
61. भारतीय रेल अधिनियम, 1989 (1989 का अधिनियम सं. 24) के अधीन अपराध ।
62. इनामी चिट और धन परिचालन स्कीम (पारबंदी) अधिनियम, 1978 (1978 का अधिनियम सं. 43) की धारा 4 और 5
63. प्रेस और पुस्तक रजिस्ट्रीकरण अधिनियम, 1867 (1867 का अधिनियम सं. 25)

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION

(Department of Personnel & Training)

New Delhi, the 13th March, 2001

S.O. 673.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Uttaranchal, Home Department Notification No. 70/Home|(CBI)|2001 dated 18th January, 2001, hereby extends the powers and jurisdiction of the

members of Delhi Special Police Establishment to the whole of the State of Uttaranchal for investigation of offences as specified in Schedule I of the aforementioned notification and attempt, abetment and conspiracy in relation to or in connection with the above said offences and any other offence/offences committed in the course of the same transaction or arising out of the same facts. However it is subject to the condition that no such investigation shall be taken up in cases relating to the public servants controlled by the State Government of Uttaranchal except with the prior written permission of the State Government.

[No. 228/61/2000-AVD. II]
HARI SINGH, Under Secy.

List of Offences

SCHEDULE-I

Offence punishable u/ss, 114, 120 B, 121, 121A, 122, 123, 124, 124A, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 140, 143, 147, 148, 149, 153A, 153B, 161, 162, 163, 164, 165, 165A, 166, 167, 167, 168, 169, 171E, 171F, 182, 186, 188, 189, 190, 193, 196, 197, 198, 199, 200, 201, 204, 211, 212, 214, 216, 216A, 218, 220, 222, 223, 224, 225, 225B, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 263A, 277, 279, 284, 285, 286, 292, 295, 295A, 302, 303, 304, 304A, 304B, 306, 307, 308, 309, 323, 324, 325, 326, 328, 330, 331, 332, 333, 336, 337, 338, 341, 342, 343, 344, 346, 347, 352, 353, 354, 355, 363, 363A, 364, 364A, 365, 366, 367, 368, 376, 376A, 376B, 376C, 376D, 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 392, 393, 394, 395, 396, 397, 398, 399, 401, 402, 403, 406, 407, 408, 409, 411, 412, 413, 414, 417, 418, 419, 420, 421, 426, 427, 429, 431, 435, 436, 440, 447, 448, 452, 454, 456, 457, 460, 461, 465, 466, 467, 468, 469, 471, 472, 473, 474, 475, 476, 477, 477A, 489, 489A, 489B, 489C, 489D, 489E, 495, 498A, 499, 500, 501, 502, 504, 505, 506, 507, 509, of the Indian Penal Code, 1860 (Act No. 45 of 1860).

CENTRAL ACTS

B. Offences punishable under:

1. Aircraft Act 1934 (Act No. 22 of 1934) and rules made under the said Act.
2. Anti-Hijacking Act 1982 (Act No. 65 of 1982)
3. Antiquities and Art Treasures Act 1972 (Act No. 52 of 1972)
4. Antiquities (Export Control) Act, 1947 (Act No. 31 of 1947) Repealed.
5. Arms Act 1959 (Act No. 54 of 1959)
6. Atomic Energy Act 1962 (Act No. 33 of 1962)
7. Central Excise and Salt Act, 1944 (Act No. 1 of 1944)
8. Companies Act, 1956 (Act, No. 1 of 1956)
9. Customs Act 1962 (Act No. 52 of 1962)
10. Drugs and Cosmetics Act 1940 (Act No. 23 of 1940)
11. Essential commodities Act 1955 (Act No. 10 of 1955)
12. Explosives Act 1884 (Act No. 4 of 1884)
13. Explosive Substances Act 1908 (Act No. 6 of 1908)
14. Emergency Provisions (Continuance) Ordinance 1946 (Ordinance No. 20 1946) if committed by the Employee of the Central Government.
15. Electricity Act 1910 (Act No. 9 of 1910).
16. Foreign Contribution (Regulation) Act, 1976 (Act No. 49 of 1976)
17. Foreigner Act (Act No. 31 of 1946)
18. Foreign Exchange Regulation Act 1973 (Act No. 46 of 1973)
19. General Insurance Business (Nationalisation) Act 1922 (Act No. 57 of 1922)
20. Gift Tax Act 1958 (Act No. 18 of 1958)
21. Income Tax Act, 1961 (Act No. 43 of 1961)
22. Import and Export (Control) Act, 1947 (Act No. 10 of 1947)
23. Insurance Act, 1938 (Act No. 4 of 1938)
24. Industries (Development and Regulation) Act, 1951 (Act No. 65 of 1951)
25. Motor Vehicles Act, 1988.
26. Narcotic Drugs and Psychotropic Substances Act, 1985 (Act No. 61 of 1985)

27. Official Secrets Act, 1923 (Act No. 19 of 1923)
28. Passport Act, 1920 (Act No. 24 of 1920) and rule 6 of Passport Rules 1950.
29. The Passport (Entry into India) Rules 1950 read with Passport (entry into India) Act, 1920 (Act No. 34 of 1920).
30. Passport Act, 1967 (Act No. 15 of 1967).
31. Prevention of Corruption Act, 1947 (Act No. 2 of 1947).
32. Prevention of Corruption Act, 1988 (Act No. 49 of 1988).
33. Post Office Act, 1898 (Act No. 6 of 1898).
34. Prevention of Food Adulteration Act, 1954 (Act No. 37 of 1954).
35. Prevention of Damage to Public Property Act, 1984 (Act No. 3 of 1984).
36. The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (Act No. 46 of 1988)
37. Railways Act, 1890 (Act No. 9 of 1890).
38. Railways Stores (Unlawful Possession) Act, 1955 (Act No. 51 of 1955).
39. Representation of the People Act, 1951 (Act No. 43 of 1951).
40. Representation of the People Act, 1950 (Act No. 43 of 1950).
41. Registration of Foreigners Act, 1939 (Act No. 16 of 1939).
42. Suppression of Unlawful Act against Safety of Civil Aviation Act, 1982 (Act No. 66 of 1982).
43. The Religious Institutions (Prevention of Misuse) Act, 1988 (Act No. 41 of 1988).
44. Telegraph Act, 1885 (Act No. 13 of 1885).
45. Telegraph Wires (Unlawful Possession) Act, 1950 (Act No. 74 of 1950).
46. Terrorist and Disruptive Activities (Prevention) Act, 1985 (Act No. 31 of 1985) and made thereunder.
47. Terrorist and Disruptive Activities (Prevention) Act 1987 (Act No. 28 of 1987) and Rules made thereunder.

Offences punishable under:—

48. Unlawful Activities (Prevention) Act 1967 (Act No. 37 of 1967).
49. Wireless and Telegraphy Act, 1933 (Act, No. 17 of 1933).
50. Wealth Tax Act, 1957 (Act No. 27 of 1957).
51. Prevention of Insults to National Honour Act, 1971 (Act No. 69 of 1971).
52. Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989.
53. Section 138 of the Negotiable Instruments Act, 1881 (Act No. 26 of 1881).
54. Section 24 of Emigration Act 1983 (Act No. 31 of 1983).
55. Section 3 of the Benami Transaction (Prohibition) Act, 1988 (Act No. 45 of 1988).
56. Section 51 of the Wild Life (Protection) Act, 1972 (Act No. 53 of 1972).
57. Section 24 of the Securities Exchange Board of India Act, 1992.
58. Sections 11 and 12 of the Territorial Waters Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (Act No. 80 of 1976).

Offences punishable under:—

59. Sections 63, 63A, 63B, 65, 67, 68, 68A and 69 of copy-rights Act 1957 (Act, No. 14 of 1957).
60. Section 25A of Narcotic Drugs and Psychotropic Substances Act 1985 (Act, No. 61 of 1985).
61. Offences under the Railways Act, 1989 (Act No. 24 of 1989).
62. Secs. 4 and 5 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978 (Act No. 43 of 1978).
63. The Press and Registration of Books Act 1867, (Act, No. 25 of 1867).

नई दिल्ली, 14 मार्च, 2001

का.आ. 674.—केन्द्र सरकार दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 के अधिनियम सं. 25) की धारा 5 की उपधारा (i) सहपठित धारा 6 के अनुसार प्रदत्त शक्तियों का प्रयोग करते हुए, जम्मू एवं कश्मीर राज्य सरकार की सहमति से, एस.आर.ओ. नं. 61, दिनांक 16-02-2001 के अनुसार, रणबीर दंड संहिता संवत् 1989, की धारा 363/366/199 के अधीन दंडनीय अपराधों एवं आनुवंशिक मामलों तथा उल्लिखित एक या अधिक अपराधों से संबंधित किन्हीं अन्य अपराध (अपराधों), प्रयत्नों/पुष्प-रणाओं तथा षडयंत्रों तथा अव्यक्त लड़की मीनाक्षी कुमारी पुत्री श्री नाथा निह भिवासी बेनिया मोहल्ला उधमपुर, के अपहरण के संबंध में उधमपुर (जम्मू एवं कश्मीर) पुलिस स्टेशन में दिनांक 09-02-2001 को पंजीकृत प्रथम सूचना रिपोर्ट सं. 18/2001 के संबंध में समान तथ्यों से उत्पन्न समान लेन-देन के दौरान किए गए किसी भी अपराध या अपराधों की जांच के लिए, दिल्ली विशेष पुलिस स्थापना के सदस्यों की अधिकारिता का विस्तार समस्त जम्मू एवं कश्मीर राज्य में करती है।

[सं. 228/16/2001-ए बी डी-II]

हरी सिंह, प्रवर सचिव

New Delhi, the 14th March, 2001

S.O. 674.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government, with the consent of State Govt. of Jammu & Kashmir vide SRO No. 61 dated 16-2-2001, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Jammu & Kashmir for investigation of the offences punishable under Sections 366, 363 & 109 of Ranbir Penal Code, Samvat, 1989 and the matters incidental thereto and any other offence(s), attempts|abetment and conspiracy in relation to or in connection with one or more offences mentioned and any other offence or offences committed in the course of the same transaction arising out of the same facts in regard to case FIR No. 18/2001 dated 9-2-2001 registered at PS Udhampur (J & K) in respect of abduction of minor girl Meenakshi Kumari d/o Shri Natha Singh r/o Barrian Mohalla, Udhampur.

[No. 228/16/2001-AVD-II]

HARI SINGH, Under Secy.

नई दिल्ली, 15 मार्च, 2001

का.आ. 675.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम संख्या 25) की धारा 6 के साथ पठित धारा 6 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, असम राज्य सरकार के राजनैतिक (ए) विभाग, सतर्कता कोष्ठ की दिनांक जुलाई 09, 1999 की अधिसूचना संख्या पी.ई.ए. (V) 2/97/84 द्वारा प्राप्त उनकी सहमति से पलटन बाजार पुलिस थाने में दिनांक 12-04-1998 को दर्ज दो प्रथम सूचना रिपोर्ट संख्या 199/98 और 202/98 के संबंध में भारतीय दंड संहिता की धारा 409 के अधीन दंडनीय अपराधों अथवा उसी संव्यवहार के अनुक्रम में किए गए अथवा पूर्वोक्त मामलों से संबंधित उसी तथ्य अथवा तथ्यों से उद्भूत, उक्त अपराधों से संबंधित किन्हीं अन्य अपराध(धों), प्रयत्न(नों), षड्यंत्र(णों) और षडयंत्र का अन्वेषण करने के लिए, दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार संपूर्ण असम राज्य पर करती है।

[सं. 228/84/99-ए.बी.डी. (II)]

हरि सिंह, प्रवर सचिव

New Delhi, the 15th March, 2001

S.O. 675.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Assam vide Politicall (A) Department, Vigilance Cell Notification No. PEA(V)2/97-84 dated 9th July, 1999, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Assam for investigation of Cases FIR Nos. 199/98 and 202/98 both dated 12-4-98 registered with Paltan Bazar Police Station under Section 409 IPC and attempts, abetments and conspiracies in relation to or in connection with the offence|offences committed in the course of the same transaction or arising out of the same facts in relation to the aforesaid cases.

[No. 228/84/99-AVD-II]

HARI SINGH, Under Secy.

नई दिल्ली, 16 मार्च, 2001

का.आ. 676.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अपराधों को दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषित किए जाने वाले अपराधों के रूप में विनिश्चित करती है, नामतः—

(क) अर्थव्यवस्था व्यापार (निवारण) अधिनियम, 1956 (1956 का अधिनियम सं. 104) की 3, 4, 5, 8, 9, और 15 के अधीन दंडनीय अपराध।

(ख) उपयुक्त खंड (क) में वर्णित अपराधों से संबंधित अथवा, समकन प्रयत्न, दुष्प्रेरण और घट्यत तथा उसी नव्यवहार के अनुक्रम में किया गया अथवा उन्ही तथ्यों से उद्भूत कोई अन्य अपराध।

[सं. 228/15/2001-ए.वी.डी II]

हरि सिंह, अव्वर सचिव

New Delhi, the 16th March, 2001

S.O. 676.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1946 (Act, No. 25 of 1946), the Central Government hereby specifies the following offences which are to be investigated by the are to be investigated by the Delhi Special Police Establishment, namely :—

- (a) Offences punishable under sections 3, 4, 5, 8, 9 and 15 of the Immoral Traffic (Prevention) Act, 1956 (Act No. 104 of 1956).
- (b) Attempts, abetments and conspiracies in relation to or in connection with the offences mentioned in clause (a) above and any other offence committed in the course of the same transaction or arising out of the same facts.

[No. 228/15/2001-AVD-II]
HARI SINGH, Under Secy.

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 12 मार्च, 2001

का.प्रा. 677.— बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की संस्तुति पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 10 की उपधारा (1) के खण्ड (ग) उप-खण्ड (झ) के उपबंध विजया बैंक के मामले में, जहां तक इसका संबंध विजया बैंक के अध्यक्ष एवं प्रबंध निदेशक श्री एस. गोपालकृष्णन की मैसर्स केनबैंक कम्प्यूटर सर्विसेज लि., बंगलूर के बोर्ड में निदेशक के रूप में नियुक्ति में है, लागू नहीं होंगे।

[फा.सं. 20/2/98-बीओ-I]

रमेश चन्द, अव्वर सचिव

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 12th March, 2001

S.O. 677.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 847 GI/2001—2

(10 of 1949), the Central Government on the recommendations of the Reserve Bank of India, hereby declares that the provisions of Sub-clause (i) of clause (c) of Sub-section (1) of Section 10 of the said Act shall not apply to Vijaya Bank in so far as it relates to the appointment of Shri S. Gopalakrishnan, Chairman and Managing Director, Vijaya Bank as a director on the Board of M/s. Canbank Computer Services Ltd., Bangalore.

[F. No. 20/2/98-B.O.-I]

RAMESH CHAND, Under Secy.

विदेश मंत्रालय

(कन्सुलर अनुभाग)

नई दिल्ली, 21 मार्च, 2001

का.प्रा. 678.— राजनयिक कौंसली अधिकारी (गण एवं शुल्क) अधिनियम 1948 (1948 का 14वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का दूतावास बर्न में श्री सागर मैत्रा, सहायक को 12-03-2001 में सहायक कौंसली अधिकारी का कार्य काने के लिए प्राधिकृत करती है।

[सं. टी-4330/1/2000]

वाई. सी. नारंग, उप सचिव (कौन्सुलर-II)

MINISTRY OF EXTERNAL AFFAIRS

(Consular Section)

New Delhi, the 21st March, 2001

S.O. 678.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorizes Shri Sagar Maitra, Asst. in the Embassy of India, Berne to perform the duties of Assistant Consular Officer with effect from 19-3-2001.

[No. T. 4330/1/2000]

Y. C. NARANG, Dy. Secy. (Cons-II)

वाणिज्य और उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 15 मार्च, 2001

का.प्रा. 679:— केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस.जी.एस. इंडिया लिमिटेड, प्लाट नं. आर-12 और एल-16, इंडस्ट्रियल एस्टेट, टी० बी.डैम रोड, होसपेट-583203 की वाणिज्य मंत्रालय की अधिसूचना सं.का.प्रा. 3975, तारीख 20 दिसम्बर, 1965 से उपाबद्ध अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क (ग्रुप I) लौह अयस्क के निर्यात में पूर्व होसपेट में निरीक्षण करने के लिए इस अधिसूचना के प्रकाशन की तारीख में

तीन वर्ष की अवधि के लिए एक अधिकरण के रूप में निम्न-लिखित शर्तों के अधीन रहने हुए मान्यता देती है, अर्थात् —

- (i) मैसर्स एस.जी.एस. इंडिया लिमिटेड, होस्पेट, निर्यात निरीक्षण परिषद् द्वारा इस निमित्त नाम निर्दिष्ट अधिकारियों को खनिज और अयस्क ग्रुप I निर्यात निरीक्षण नियम, 1965 के नियम 4 के अधीन निरीक्षण प्रमाणपत्र अनुदत्त करने में उनके द्वारा प्रपनाई जाने वाली निरीक्षण पद्धति की जांच के लिए पर्याप्त सुविधाएं उपलब्ध कराएंगी।
- (ii) मैसर्स एस.जी.एस. इंडिया लिमिटेड, होस्पेट, इस अधिसूचना के अधीन अपने कृत्यों के पालन में ऐसे निदेशों द्वारा आवद्ध होगी जो निदेशक (निरीक्षण और क्वालिटी नियंत्रण) समय-समय पर लिखित में दें।

[फा सं 5/2/2001-ईआईएण्डईपी]
पी के. दास, निदेशक

MINISTRY OF COMMERCE AND INDUSTRY
(Department of Commerce)

New Delhi, the 15th March, 2001

S.O. 679.—In exercise of the powers conferred by Sub-section (1) of Section of the Export (Quality Control and Inspection) Act, 1963

(22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification M/s. S.G.S. India Ltd., Plot No. R-12 and L-16, Industrial Estate, T. B. Dam Road, Hospet-583203 as an agency for the inspection of Minerals and Ores, Group-I Iron Ore specified in Schedule annexed to Ministry of Commerce Notification No. S.O. 3975 dated the 20th December, 1965 prior to export at Hospet, subject to the following conditions, namely :—

(i) that M/s. SBS India Ltd., Hospet shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of Export of the Minerals and Ores Group-I (Inspection) Rules, 1965;

(ii) that M/s. SGS India Ltd., Hospet in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

[F. No. 5-2-2001-EI&EP]

P. K. DAS, Director

कोयला मंत्रालय

नई दिल्ली, 20 मार्च, 2001

का.आ. 680—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत के राजपत्र भाग 2, खण्ड 3, उप खण्ड (ii) तारीख 11 मार्च 2000 में प्रकाशित भारत सरकार के खान और खनिज मंत्रालय (कोयला विभाग) की अधिसूचना सं. का.आ. 611, तारीख 25 फरवरी, 2000 द्वारा इस अधिसूचना में उपाखण्ड अनुसूची में विनिर्दिष्ट पश्चिम भूमि 870 00 हेक्टर (लगभग) या 2149.85 एकड़ (लगभग) है, में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार को यह समाधान हो गया है कि उक्त भूमि के किसी भाग में कोयला अभिप्राप्य है;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में यथावर्णित भूमि, जिसका भूमि 334.13 हेक्टर (लगभग) या 825.64 एकड़ (लगभग) है और ऐसी भूमि में या उस सब पर के अधिकारों का अर्जन करने के अपने आशय की सूचना देती है;

टिप्पणी-1 इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखांक सं. सी-1 (ई) III/जेजेआर/664-1099 तारीख 22 अक्टूबर, 1999 का निरीक्षण कलेक्टर चन्द्रपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक 1, कार्जसिल हाऊस स्ट्रीट कलकत्ता-700 001 के कार्यालय में या वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग) कोल इस्टेट सिविल लाइन्स नगर - 440 001 द्वारा किया जा सकता है।

टिप्पणी-2 कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है जिसमें निम्नलिखित उपबंध हैं —

“8 अर्जन के प्रति आक्षेप :—

- (1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना जारी की गई है, हितबद्ध है, अधिसूचना के जारी किए जाने के तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किसी अधिकारों का अर्जन किए जाने के बारे में आक्षेप कर सकेगा।

स्पष्टीकरण :—इस धारा के अन्तर्गत किसी व्यक्ति द्वारा यह कहना कोई आक्षेप नहीं माना जाएगा कि किसी भूमि में कायला उत्पादन के लिए यह स्वयं खनन संक्रियाएं करने की बांछा करता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति का नहीं करनी चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आक्षेप सक्षम प्राधिकारी को लिखित रूप में किया जाएगा और सक्षम प्राधिकारी आक्षेपकर्ता को स्वयं या विधि व्यवसायी द्वारा सुन जाने का अवसर देगा और ऐसे सभी आक्षेपों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच यदि कोई हो, जो वह आवश्यक समझता है, करने के पश्चात्, वह उस भूमि जो धारा 7 की उपधारा (1) के अधीन अधिसूचित की गई है या ऐसी भूमि में या उस पर के अधिकारों की बाबत एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ा या ऐसी भूमि में या उस पर के अधिकारों की बाबत आक्षेपों पर अपनी सिफारशों से युक्त और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्टें केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए ऐसा व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिष्ठान में किसी हित का दावा करने का हकदार होता यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए गए होते।”

टिप्पणी—3 केन्द्रीय सरकार ने कोयला नियंत्रक 1, काउंसिल हाउस स्ट्रीट, कलकत्ता को उक्त अधिनियम के अधीन सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

गौरी डीप ओपन-कास्ट परियोजना

बलारपुर क्षेत्र

जिला चन्द्रपुर (महाराष्ट्र)

[रेखांक संख्या सी-1(ई) III/जेजेआर/664-1099 तारीख 22 अक्टूबर, 1999]

सभी अधिकार :—

क्रमांक	ग्राम का नाम	पटवारी सर्किल सं०	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	गोयगाव	6	राजुरा	चन्द्रपुर	106.32	भाग
2.	मुठरा	6	राजुरा	चन्द्रपुर	34.07	भाग
3.	अंतरगाव(खुर्द)	7	राजुरा	चन्द्रपुर	193.74	भाग

कुल क्षेत्र . 334.13 हेक्टर

(लगभग)

या .

825.64 एकड़

(लगभग)

ग्राम गोयगाव में अर्जित किये जाने वाले प्लॉट संख्याएं

84 से 86, 125 भाग, 126 भाग, 127 भाग, 132 भाग, 133/1-133/2-133/3 भाग 134/1क-134/1ख-134/2 भाग, 135/1- 135/2 भाग, 136/1-136/2 भाग, 137/1- 137/2 भाग, 138, 139/1- 139/2-139/3-139/4-139/5, 140, 141/1-141/2, 142/1-142/2, 143/1-143/2, 144/1-144/2-145/1-145/2, 146 से 150, 155, 156/1- 156/2 156/3, 157, 158/1-158/2, 159, 160/1- 160/2- 161, 162/1- 162/2-162/3-162/4, 163/1, 163/2- 163/3, 164/1- 164/2- 164/3-164/4, 165/1-165/2-165/3-165/4, 166/1 166/2, 167 से 175, 176/1क- 176/1ख-176/2 177/1-177/2, 1 178/2- 178/3, 183/1- 183/2- 183/3- 183/4, 184/1-184/2-184/3, सड़क भाग,

ग्राम मुठरा में अर्जित किये जाने वाले प्लॉट संख्यांक —

8, 9, 10-10/2, 11, 12, 13/1-13/2, 14, 26, 27, 28/1, 28/2, 28/3-28/4, 29, 30/1- 30/2, 244, 245/1- 245/2 245/3- 245/4-245/5.

ग्राम अंतरगांव (खुर्द) में अर्जित किये जाने वाले प्लॉट संख्यांक —

6/1-6/2- 6/3-6/4-6/5, 7 8/1- 8/2 16/1-16/2, 16/3-16/4-16/5-16/6, 19, 20, 34/1- 34/2-34/3, 35/ 1-35/2- 35/3, 36/1-36/2-36/3-36/4-36/5, 37/1क-37/1ख-37/1ग-37/1घ-37/1ङ-37/1च-37/2, 40 से 43, 44/1- 44/2, 45 से 48 49/1-49/2, 50/1- 50/2क-50/2ख-50/3-1-50/3-2-50/3-3-50/3-4, 51/1-51/2-51/3-51/4, 52/1- 52/2, 53, 54/1- 54/2, 55/1-55/2, 56/1, 56/2, 57/1-57/2, 58/1- 58/2-58/3-58/4-58/5, 60, 59, 61/1-61/2, 62, 63/1-63/2-63/3-63/4, 64, 65/1-65/2, 66 से 71, 72/1- 72/2, 73 से 76, 77/1- 77/2- 77/3, 78 से 83, 84/1-84/2, 85 से 90, 91/1- 91/2, 92/1- 92/2-92/3-92/4- 92/5, 93/1-93/2, 94/1-94/2-94/3, 95/1-95/2, 96/1- 96/2- 96/3-96/4, 97/1- 97/2- 97/3- 97/4, 98, 99/1- 99/2- 99/3, 100/1- 100/2-100/3- 100/4, 101/1, 101/2, 102/1- 102/2-102/3-102/4, 103, 104/1- 104/2, 105/1-105/2, 106/1-106/2-106/3, 107/1-107/2, 108/1- 108/2- 108/3- 108/4, 109/1- 109/2- 109/3- 109/4, 110/1-110/2- 110/3-110/4, 111, 112, सड़क भाग.

सीमा वर्णन :

क—ख : रेखा 'क' बिन्दु से आरम्भ होती है और ग्राम अंतरगांव (खुदी) से होकर जाती है और प्लॉट संख्या 6/1-6/2-6/3- 6/4-6/5, 8/1-8/2, 16/1-16/2-16/3-16/4-16/5-16/6 की बाहरी सीमा के साथ जाती है और बिन्दु 'ख' पर मिलती है।

ख—ग : रेखा ग्राम अंतरगांव (खुर्द) से होकर जाती है और प्लॉट संख्या 16/1- 16/2-16/3-16/4-16/5-16/6, 19, 20 34/1-34/2-34/3, 50/1- 50/2क-50/2ख-50/3-1- 50/3-2- 50/3-3 50/3-4, की बाहरी सीमा के साथ जाती है, फिर ग्राम गोयगांव और अंतरगांव (खुर्द) की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और बिन्दु 'ग' पर मिलती है।

ग—घ : रेखा ग्राम गोयगांव से होकर जाता है और प्लॉट संख्या 184/1-184/2- 184/3, 183/1-183/2-183/3-184/4, 178/1- 178/2-178/3, 174, 173, 172, 155, 156/1- 156/2- 156/3, 148, 149, 150, 146, 84, 85, 86, 126 की बाहरी सीमा के साथ जाती है और बिन्दु 'घ' पर मिलती है।

घ—ङ : रेखा ग्राम गोयगांव से होकर जाती है और प्लॉट संख्या 126, 125, 127, 132, 133/1- 133/2- 133/3, 134/1क- 134/1ख- 134/2, 135/1- 135/2, 136/1- 136/2, 137/1- 137/2, में से होकर जाती है और बिन्दु 'ङ' पर मिलती है।

ङ—च : रेखा ग्राम गोयगांव और मुठरा की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और ग्राम मुठरा से होती हुई जाती है और प्लॉट संख्या 30/1-30/2, 26, 27, 14, 13/1-13/2- 12, 11, 8, 9, 245/1- 245/2- 245/3- 245/4- 245/5, की बाहरी सीमा के साथ जाती है और बिन्दु 'च' पर मिलती है।

च—छ : रेखा, नाले के पूर्वी किनारे के साथ होती हुई ग्राम मुठरा से होकर जाती है और प्लॉट संख्या 245/1- 245/2- 245/3- 245/4- 245/5 की बाहरी सीमा के साथ जाती है फिर नाले के पूर्वी किनारे के साथ होती हुई, ग्राम अंतरगांव (खुर्द) की ओर आगे बढ़ती है, और प्लॉट संख्या 112, 111, 110/1- 110/2- 110/3- 110/4, 67, 66 65/1-65/2 64, 63/1- 63/2- 63/3-63/4 की बाहरी सीमा के साथ जाती है और बिन्दु 'छ' पर मिलती है।

छ—क : रेखा ग्राम अंतरगांव (खुर्द) से होकर जाती है और प्लॉट संख्या 63/1- 63/2-63/3-63/4 की बाहरी सीमा के साथ जाती है, सड़क पार करती है और प्लॉट संख्या 43, 44/1- 44/2, 42, 41, 40, 37/1क-37/1ख-ग-37/1घ- 37/1ङ- 37/1च-37/2, 6/1- 6/2- 6/3- 6/4- 6/5 की बाहरी सीमा के साथ जाती है फिर नाले के पूर्वी किनारे के साथ होती हुई जाती है और प्लॉट संख्या 6/1-6/2-6/3-6/4-6/5 की बाहरी सीमा के साथ जाती है और आरम्भिक बिन्दु 'क' पर मिलती है।

MINISTRY OF COAL

New Delhi, the 20th March, 2001

S.O. 680.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 611, dated the 25th February, 2000, published in the Gazette of India, Part-II, Section-3, Sub-section (ii), dated the 11th March, 2000, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in 870.00 hectares (approximately) or 2149.85 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of said land;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the lands measuring 334.13 hectares (approximately or 825.64 acres (approximately) and all rights in or over such lands as described in the Schedule appended hereto :

Note 1

The plan bearing No. C-1(E)III/JJR/664-1099, dated the 22nd October, 1999 of the area covered by this notification may be inspected in the office of the Collector, Chandrapur (Maharashtra) or in the office of the Coal Controller, 1 Council House Street, Kolkata (PIN 700 001) or in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur 440 001 (Maharashtra).

Note 2

Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) which provides as follows:—

“8. Objections to Acquisition :

- (1) Any person interested in any land in respect of which a notification under section 7 has been issued may within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation — It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

- (2) Every objection under sub-section (1) shall be made to the competent authority in writing and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further enquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of proceedings held by him, for the decision of that Government.

- (3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3

The Coal Controller, 1, Council House Street, Kolkata has been appointed by the Central Government as the competent authority under the Act vide notification number S.O. 2519, dated the 27th May, 1983.

SCHEDULE

Gourideep Open-Cast Project

Ballarpur Area

District—Chandrapur (Maharashtra)

(Plan No. C-1(E)/III/JJR/664-1099 dated the 22nd October, 1999)

All rights

Serial Number	Name of Village	Patwari circle number	Tahsil	District	Area in hectares	Remarks
1.	Goigaon	6	Rajura	Chandrapur	106.32	Part
2.	Mutra	6	Rajura	Chandrapur	34.07	Part
3.	Antargaon (Khurd)	7	Rajura	Chandrapur	193.74	Part

Total area : 334.13 hectares
(approximately)or
825.64 acres
(approximately)

Plot numbers to be acquired in village Goigaon :

84, 85, 86, 125 part, 126 part, 127 part, 132 part, 133/1-133/2-133/3 part, 134/1A-134/1B-134/2 part, 135/1-135/2 part, 136/1-136/2 part, 137/1-137/2 part, 138, 139/1-139/2-139/3-139/4-139/5, 140, 141/1-141/2, 142/1-142/2, 143/1-143/2, 144/1-144/2, 145/1-145/2, 146, 147, 148, 149, 150, 155, 156/1-156/2-156/3, 157, 158/1-158/2, 159, 160/1-160/2, 161, 162/1-162/2-162/3-162/4, 163/1-163/2-163/3, 164/1-164/2-164/3-164/4, 165/1-165/2-165/3-165/4, 166/1-166/2, 167 to 175, 176/1A-176/1B-176/2, 177/1-177/2, 178/1-178/2-178/3, 183/1-183/2-183/3-183/4, 184/1-184/2-184/3, Road Part.

Plot numbers to be acquired in village Mutra :

8, 9, 10/1-10/2, 11, 12, 13/1-13/2, 14, 26, 27, 28/1-28/2-28/3-28/4, 29, 30/1-30/2, 244, 245/1-245/2-245/3-245/4-245/5.

Plot numbers to be acquired in village Antargaon (Khurd) :

6/1-6/2-6/3-6/4-6/5, 7, 8/1-8/2, 16/1-16/2-16/3-16/4-16/5-16/6, 19, 20, 34/1-34/2-34/3, 35/1-35/2-35/3, 36/1-36/2-36/3-36/4-36/5, 37/1A-37/1B-37/1C-37/1D-37/1E-37/1F-37/2, 40, 41, 42, 43, 44/1, 44/2, 45, 46, 47, 48, 49/1-49/2, 50/1-50/2A-50/2B-50/3-1-50/3-2-50/3-3-50/3-4, 51/1-51/2-51/3-51/4, 52/1-52/2, 53, 54/1-54/2, 55/1-55/2, 56/1-56/2, 57/1-57/2, 58/1-58/2-58/3-58/4-58/5, 59, 60, 61/1-61/2, 62, 63/1-63/2-63/3-63/4, 64, 65/1-65/2, 66 to 71, 72/1-72/2, 73, 74, 75, 76, 77/1-77/2-77/3, 78, 79, 80, 81, 82, 83, 84/1-84/2, 85, 86, 87, 88, 89, 90, 91/1-91/2, 92/1-92/2-92/3-92/4-92/5, 93/1-93/2, 94/1-94/2-94/3, 95/1, 95/2, 96/1-96/2-96/3-96/4, 97/1-97/2-97/3-97/4, 98, 99/1-99/2-99/3, 100/1, 100/2, 100/3, 100/4, 101/1, 101/2, 102/1, 102/2-102/3-102/4, 103, 104/1-104/2, 105/1-105/2, 106/1-106/2-106/3, 107/1-107/2, 108/1-108/2-108/3-108/4, 109/1-109/2-109/3-109/4, 110/1-110/2-110/3-110/4, 111, 112, Road Part.

Boundary description :

- A - B** Line starts from point 'A' and passes through village Antargaon (Khurd) and passes along the outer boundary of plot numbers 6/1-6/2-6/3-6/4-6/5, 8/1-8/2, 16/1-16/2-16/3-16/4-16/5-16/6 and meets at point 'B'.
- B - C** Line passes through village Antargaon (Khurd) and passes along the outer boundary of plot numbers 16/1-16/2-16/3-16/4-16/5-16/6, 19, 20, 34/1-34/2-34/3, 50/1-50/2A-50/2B-50/3-1-50/3-2-50/3-3-50/3-4 then passes along the common village boundary of villages Goigaon and Antargaon (Khurd) and meets at point 'C'.
- C - D** Line passes through village Goigaon and passes along the outer boundary of plot numbers 184/1-184/2-184/3, 183/1-183/2-183/3-183/4, 178/1-178/2-178/3, 174, 173, 172, 155, 156/1-156/2-156/3, 148, 149, 150, 146, 84, 85, 86, 126 and meets at point 'D'.
- D - E** Line passes through village Goigaon and passes in plot numbers 126, 125, 127, 132, 133/1-133/2-133/3, 134/1A-134/1B-134/2, 135/1-135/2, 136/1-136/2, 137/1-137/2 and meets at point 'E'.

- E - F** Line passes along the common village boundary of villages Gorigaon and Mutra, then passes through village Mutra along the outer boundary of plot numbers 30/1-30/2, 26, 27, 14 13/1-13/2, 12, 11, 8, 9, 245/1-245/2-245/3-245/4-245/5 and meets at point, 'F'.
- F - G** Line passes through village Mutra along the eastern bank of nallah and passes along the outer boundary of plot number 245/1-245/2-245/3-245/4-245/5 then proceeds through village Antargaon (Khurd) along the eastern bank of nallah and passes along the outer boundary of plot numbers 112, 111, 110/1-110/2-110/3-110/4, 67, 66, 65/1-65/2, 64, 63/1-63/2-63/3-63/4 and meets at point 'G'.
- G - A** Line passes through village Antargaon (Khurd) and passes along the outer boundary of plot number 63/1-63/2-63/3-63/4, crosses road and passes along the outer boundary of plot numbers 43, 44/1-44/2, 42, 41, 40, 37/1A-37/1B-37/1C-37/1D-37/1E-37/1F-37/2, 6/1-6/2-6/3-6/4-6/5, then passes along the eastern bank of nallah and along the outer boundary of plot number 6/1-6/2-6/3-6/4-6/5 and meets at starting point 'A'.

[No. 43015/8/99 PRIW]
SANJAY BAHADUR, Dy. Secy.

नई दिल्ली, 20 मार्च, 2001

का. आ. 681.—केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपावद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किये जाने की संभावना है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उस क्षेत्र में कोयला का पूर्वक्षेत्र करने के आने आशय की सूचना देती है ;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. रा./6/2000, तारीख 31 जुलाई, 2000 का निरीक्षण सेंट्रल कोलफील्ड्स लि. (राजस्व विभाग) दरभंगा हाऊस, रांची (झारखंड) के कार्यालय या कोयला नियंत्रक, 1 काउंसिल हाऊस स्ट्रीट, कलकत्ता के कार्यालय या उपायुक्त, छतरा के कार्यालय या उपायुक्त, पलामू (झारखंड) के कार्यालय में किया जा सकता है ;

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में विनिर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर भारसाधन/विभागाध्यक्ष (राजस्व), सेंट्रल कोलफील्ड्स लि., दरभंगा हाऊस, रांची (झारखंड) को भेजेंगे।

अनुसूची

मगध ब्लॉक विस्तार

जिजा-छतरा और पलामू

क्र. क्रम सं.	ग्राम	थाना	थाना सं.	जिला	(पूर्वक्षेत्र के लिये भूमि दर्शाते हुए)	
					क्षेत्र एकड़ में	क्षेत्र हैक्टर में
1.	कुण्डी	तण्डवा	27/184	छतरा	85.50	34.62
2.	सरधू	तण्डवा	29/186	छतरा	1050.00	425.10
3.	मसिलोंग	तण्डवा	61/218	छतरा	475.00	192.30
4.	रहन	तण्डवा	62/219	छतरा	275.00	111.34
5.	आरा	बालुमठ	55	पलामू	390.00	157.90
6.	चमातु	बालुमठ	56	पलामू	1225.00	495.95
7.	फुलबसिया	बालुमठ	57	पलामू	950.00	384.62
8.	चेतर	बालुमठ	59	पलामू	475.00	192.30
9.	सेरेपरा	बालुमठ	60	पलामू	350.00	141.70
					कुल क्षेत्र	5275.50 एकड़ (लगभग)
						या
						2135.83 हैक्टर (लगभग)

सीमा वर्णन

- क—ख रेखा “क” से प्रारंभ होती है, सरधू, कुण्डी, आरा, चमातु, फुलबसिया और मेरेगरा गांवों से जाती है और बिन्दु “ख” पर मिलती है।
- ख—ग रेखा फुलबसिया से होते हुए चेतरा और गणेशपुर गांवों की संयुक्त सीमा के साथ जिसमें कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन तारीख 20-10-82 का.आ.सं. 3155 द्वारा (पिंडरकाम गणेशपुर ब्लॉक की संयुक्त सीमा का भाग बनता है) गांव मेरेगरा से जाती है और बिन्दु “ग” पर मिलती है।
- ग—घ रेखा, फुलबसिया और चमातु गांवों की संयुक्त सीमा जिसमें कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन, का.आ.सं. 3155 तारीख 20-10-82 द्वारा, पिंडरकाम-गणेशपुर ब्लॉक की संयुक्त सीमा का भाग बनता है] से हो कर जाती है और बिन्दु “घ” पर मिलती है।
- घ—ङ रेखा, चमातु, सरधू और रहम गांवों में से हो कर जाती है और बिन्दु “ङ” पर मिलती है।
- ङ—च रेखा, रहम, ममिलौग और कामता गांवों में से हो कर जाती है और बिन्दु “च” पर मिलती है।
- च—छ रेखा, ममिलौग और सरधू गांवों में से हो कर जाती है और बिन्दु “छ” पर मिलती है।
- छ—ज रेखा, सरधू गांव में से हो कर जाती है [जिसमें कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन, का.आ.सं. 872 (अ), तारीख 2-12-94 द्वारा मगध ब्लॉक की संयुक्त सीमा का भाग बनता है] और बिन्दु “ज” पर मिलती है।
- ज—झ रेखा, सरधू और चमातु गांवों में से हो कर जाती है [जिसमें कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन, का.आ.सं. 872 (अ), तारीख 2-12-94 द्वारा मगध ब्लॉक की संयुक्त सीमा का भाग बनता है] और बिन्दु “झ” पर मिलती है।
- ट—ठ—ड रेखा, चमातु और आरा गांवों में से हो कर जाती है [जिसमें कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन, का.आ.सं. 872 (अ), तारीख 2-12-94 द्वारा मगध ब्लॉक की संयुक्त सीमा का भाग बनता है] और बिन्दु “त” पर मिलती है।
- ड—ण—त रेखा, कुण्डी गांव में से हो कर जाती है [जिसमें कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन, का.आ.सं. 872 (अ), तारीख 2-12-94 द्वारा मगध ब्लॉक की संयुक्त सीमा का भाग बनता है] और बिन्दु “प” पर मिलती है।
- थ—क रेखा, कुण्डी और सरधू गांवों में से हो कर जाती है [जिसमें कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन, का.आ.सं. 872 (अ), तारीख 2-12-94 द्वारा मगध ब्लॉक की संयुक्त सीमा का भाग बनता है] और बिन्दु “क” पर मिलती है।

New Delhi, the 20th March, 2001

S.O. 681.-Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein;

The Plan No. Rev. /6/2000, dated the 31st July, 2000, of the area covered by this notification can be inspected at the Office of the Central Coalfields Limited (Revenue Department), Darbhanga House, Ranchi, Jharkhand or at the Office of the Coal Controller, 1, Council House Street, Kolkata or in the Office of the Deputy Commissioner, Chatra; or at the office of the Dy. Commissioner, Palamau, Bihar.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Office-in-Charge/Head of Department (Revenue) Central Coalfields Limited, Darbhanga House, Ranchi, within ninety days from the date of publication of this notification.

SCHEDULE

Magadh Block Extension

District—Chatra and Palamau

(showing land notified for prospecting)

Sl. No.	Village	Thana	Thana No.	District	Area in (ac)	Area in (Ha.)	Remarks
1.	Kundi	Tandwa	27/184	Chatra	85.50	34.62	Part
2.	Saradhu	Tandwa	29/186	Chatra	1050.00	425.10	Part
3.	Masilaung	Tandwa	61/218	Chatra	475.00	192.30	Part
4.	Raham	Tandwa	62/219	Chatra	275.00	111.34	Part
5.	Ara	Balumath	55	Palamau	390.00	157.90	Part
6.	Chamatu	Balumath	56	Palamau	1225.00	495.95	Part
7.	Phulbasia	Balumath	58	Palamau	950.00	384.62	Part
8.	Chetar	Balumath	59	Palamau	475.00	192.30	Part
9.	Seregara	Balumath	60	Palamau	350.00	141.70	Part

Total

Total Area 5275.50 acres (approximately)

or

2135.83 hectares (approximately)

Boundary description

- A—B** Line start from 'A' and passes through in villages Saradhu, Kundi, Ara, Chamatu, Phulbasia and Seregara and meets at point 'B'.
- B—C** Line passes through in villages Seregara, along common boundary of villages Chetar and Ganeshpur through Phulbasia (which forms part common boundary of Pindarcom Ganeshpur Block U/s 9 (i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 (Vide S.O. No. 3155 dt. 20-10-62) and meets at point 'C'.
- C—D** Line passes through common boundary of villages Phulbasia and Chamatu (which form part common boundary of Pindarcom Ganeshpur Block U/s—9(i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 3155 dated 20-10-62) and meets at point 'D'.
- D—E** Line passes through in villages Chamatu, Saradhu and Raham and meets at point 'E'.
- E—F** Line passes through in villages Raham, Masilaung and Kamta and meets at point 'F'.
- F—G** Line passes through in villages Masilaung and Saradhu and meets at point 'G'.
- G—H** Line passes through in village Saradhu (which form part common boundary of Magadh Block U/s-9 (i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 872 (F) dated 2-12-94) and meets at point 'H'.
- H—I—J—K** Line passes through in villages Saradhu and Chamatu (which form part common boundary of Magadh Block U/s-9 (i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 872(E) dated 2-12-94) and meets at point 'K'.
- K—L—M—N—O—P** Line passes through in villages chamatuu and Ara (which form part common boundary of Magadh Block U/s-9 (i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 872 (E) dated 2-12-94 and meets at point 'P'.
- P—Q** Line passes through in village Kundi (which forms part common boundary of Magadh Block U/s-9(i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 872(E) dated 2-12-94 and meets at point 'Q'.
- Q—A** Line passes through in villages Kundi and Saradhu (which foams Part common boundary of Magadh Block U/s-9(i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 872 (E) dated 2-12-94 and meet at starting point 'A'.

नई दिल्ली, 20 मार्च, 2001

New Delhi, the 20th March, 2001

का. आ. 682—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की वेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तत्कालीन ऊर्जा मंत्रालय, कोयला विभाग के द्वारा जारी पूर्व अधिसूचना नं. 43022/8/87-सी. ए. भारत के राजपत्र में तारीख 24 अक्टूबर, 1987 को का. आ. 2912 तारीख 8 अक्टूबर, 1987 को अधिस्तुत करते हुए, नीचे सारणी के स्तम्भ (1) में उल्लिखित अधिकारी को, जो सरकार के राजपत्रित अधिकारी की पंक्ति के समतुल्य अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की वास्तु अपनी अधिकारिता की सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेंगे।

सारणी

अधिकारी का नाम	सरकारी स्थानों के प्रकार और अधिकारिता की स्थानीय सीमाएं
1	2
प्रबन्धक/(सम्पदा)	मध्य प्रदेश राज्य व उत्तर प्रदेश राज्य में नार्थर्न कोलफील्ड्स लिमिटेड द्वारा या उनकी ओर से पट्टे पर लिए गए सभी परिसर।

S.O. No. 682. In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of notification of the Government of India in the then Ministry of Energy in the Department of Coal No. 43022/8/87-CA published in the Gazette of India on October 24, 1987 issued vide S.O. No. 2912 dated 8th October, 1987, the Central Government hereby appoints the officer mentioned in column (1) of the Table below being an officer equivalent to the rank of gazetted officer of Government to be Estate Officer of the purposes of the said Act and further directs that the said officer shall exercise the power conferred upon and the duties imposed, on estate officers, by or under, the said Act, within the limits of his jurisdiction in respect of the public premises specified in column (2) of the Table, namely :—

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction.
1	2
Manager (Estate)	All premises belonging to or taken on lease by or on behalf of Northern Coalfields Limited in the state of Madhya Pradesh and Uttar Pradesh.

[फा. सं. 43022/1/2001-पी आर आर्ड इव्यु]

संजय बहादुर, डी सचिव

[No. 43022/1/2001-PRIW]

SANJAY BHADUR, Dy. Secy

पर्यावरण और वन मंत्रालय

नई दिल्ली, 23 मार्च, 2001

का. आ. 683—केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 10 के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 12 की उपधारा (1) के खंड (ख) और धारा 13 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, नीचे स्तम्भ (2) में विनिर्दिष्ट प्रयोगशालाओं को पर्यावरणीय प्रयोगशालाओं के रूप में मान्यता देती है और स्तम्भ (3) में के व्यक्तियों को सरकारी विश्लेषकों के रूप में विनिर्दिष्ट करती है और इस प्रयोजन के लिये भारत

सरकार के पर्यावरणीय और वन संवालय की अधिसूचना सं. का.आ. 728(अ), तारीख 21 जुलाई, 1987 में निम्नलिखित और संशोधन करती है, अर्थात् —

उक्त अधिसूचना में मूल्य मागणी में क्रम सं. 95 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम संख्यांक और प्रविष्टिया जोड़ी जायेगी, अर्थात् —

(1)	(2)	(3)	(4)
96. मै. एस. जी. एम. इंडिया लिमिटेड जनरल लेबोरेटरी डिवाजन बेहला कामशियल कम्प्लेक्स फेज-2, प्रथम तल 620, डी-एच रोड, कलकत्ता-700034	1. श्री उत्पल मजूमदार 2. श्री सत्याचरण मन्ना 3. श्री अरुण व अश्वती	बी.एस.सी. पारिस्थिति की और पर्यावरण में स्नातकोत्तर डिप्लोमा एम एस सी (जैव रसायन शास्त्र) बी एस सी औद्योगिक प्रदूषण में स्नातकोत्तर डिप्लोमा	
97. मै. एन्वायर केम टेस्ट लेबोरेटरी, एच आई जी-79 सैक्टर ई अलीगंज, लखनऊ-226024	1. श्री प्रदीप कुमार 2. सुश्री सरोज सिंह 3. श्री अमित अग्रवाल	एम एस सी (रसायन शास्त्र) बी एस सी बी एस सी	
98. मै. दिल्ली टैस्ट हाउस ए-62/3, जी टी कर्नाल रोड औद्योगिक क्षेत्र हंस सिनेमा के सामने, आजादपुर दिल्ली-110033	1. श्री जी. डी. गोयल 2. डा. एन. के. मोडाल 3. श्री जे. पी. मिश्रा	बी एस सी (आर्नेस) (रसायन शास्त्र) पी एच डी एम एस सी	
99. मै. नेटेल क्रोमाटोग्राफ्ट्स एस बी रोड, मनपाडा, ठाणे-400607	1. अभय कुमार 2. श्री बलीप कुमार दुबे 3. सुश्री सीमा सोमनाथन	एम एस सी (पर्यावरण) बी एस सी (रसायन शास्त्र) बी एस सी (रसायन शास्त्र)	
100. मै. मिनरल इंजीनियरिंग सर्विसेज 25/XXV क्लब रोड बेल्लारी-583103 कर्नाटक	1. श्री एम सचिन राजू 2. श्री एम. एस. भास्कर 3. सुश्री पी. सुनीता	बी ई (पर्यावरण) इंजीनियरी एम एस सी बी एस सी	
101. मै. स्काई लेब एनेलिटिकल लेबोरेटरी 2/10, आर. बी. मैनसन चया सिनेमा के सामने निकट कल्याण रेलवे स्टेशन कल्याण (प.), जिला-ठाणे (महाराष्ट्र)	1. डा. एन. ए. डेगवेकर 2. डा. अशोक वाई. धामनकर 3. श्री बी. एस. पानसारे	पी एच डी पी एच डी बी एस सी	

प्रयोगशालाओं की मान्यता इस अधिसूचना के प्रकाशन की तारीख में पांच वर्ष के लिये विधिमान्य है। यह मान्यता सरकार द्वारा पहले भी प्रतिसंहत की जा सकती है।

[फा.सं. न्यू.-15017/24/99-सी पी डब्ल्यू]

डा. जी. के. पांडे, निदेशक

टिप्पण : मूल अधिसूचना भारत के राजपत्र में का.आ. 728(अ), तारीख 21 जुलाई, 1987 द्वारा प्रकाशित की गई थी तथा तत्पश्चात् उसमें निम्नलिखित द्वारा संशोधन किये गये :—

- | | |
|-----------------------------------|------------------------------------|
| 1. का.आ. 838(अ), तारीख 23-9-1987 | 7. का.आ. 633(अ), तारीख 31-8-1994 |
| 2. का.आ. 989(अ), तारीख 17-11-1987 | 8. का.आ. 54(अ), तारीख 15-1-1997 |
| 3. का.आ. 156(अ), तारीख 24-2-1989 | 9. का.आ. 305(अ) तारीख 7-4-1997 |
| 4. का.आ. 489(अ), तारीख 17-5-1989 | 10. का.आ. 173(अ), तारीख 9-3-1998 |
| 5. का.आ. 846(अ), तारीख 24-10-1989 | 11. का.आ. 1508(अ), तारीख 27-7-1998 |
| 6. का.आ. 375(अ), तारीख 26-4-1990 | 12. का.आ. 454 तारीख, 11-2-2000 |

MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi, the 23rd March, 2001

S.O. 683.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 12 and section 13 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 10 of the Environment (Protection) Rules, 1986, the Central Government hereby recognises the laboratories specified in column (2) below as environmental labora-

ories and specifies the persons in column (3) to be the Government Analysis and for that purpose makes the following further amendment in the notification of the Government of India in the Ministry of Environment and Forests, number S.O. 728(E) dated the 21st July, 1987, namely :—

In the Table appended to the said notification, after serial number 95 and the entries relating thereto, the following serial number and entries shall be added, namely :—

1	2	3	4
96.	M/s. SGS India Ltd., General Laboratory Division Behala Commercial Complex Phase II, 1st Floor, 620, D.H. Road, Calcutta-70 0034.	1. Shri Utpal Mazumdar 2. Shri Satya Charan Manna 3. Shri Arunava Chakraborty	B.Sc., P.G. Diploma in Ecology & Env. M.Sc., (Bio-Chemistry) B.Sc., P.G. Diploma in Ind. Pollution
97.	M/s. Envirochem Test Laboratory, HIG-79, Sector E, Aliganj, Lucknow-226 024	1. Shri Pradeep Kumar 2. Ms. Saroj Singh 3. Shri Amit Agarwal	M.Sc. (Chemistry) B.Sc. BSc.
98.	M/s. Delhi Test House, A-63/3, G.T. Karnal Road Indl. Area Opp. Hans Cinema, Azadpur, Delhi-110 033	1. Shri G.D. Goel 2. Dr. N.K. Mondal 3. Shri J.P. Mishra	B.Sc. (Hons), (Chemistry) Ph.D. M.Sc.
99.	M/s. Netel Chromatographs, S.V. Road, Manpada, Thane-400 607.	1. Shri Abhay Kumar 2. Shri Dilip K. Dube 3. Ms. Seema Somanathan	M.Sc. (Environment) B.Sc. (Chemistry) B.Sc. (Chemistry)
100.	M/s. Mineral Engineering Services, 25/XX V, Club Road, Bellary-583 103, Karnataka	1. Shri M. Sachin Raju 2. Shri M.S. Bhaskar 3. Ms. P. Sunitha	B.E. (Environment Engineering) M.Sc. B.Sc.
101.	M/s. Sky Lab Analytical Laboratory 2/10, R.B. Mension, Opp. Chaya Cinema, Near Kalyan Rly. Station, Kalyan (W), Distt. Thane (Maharashtra)	1. Dr. N.A. Degwekar 2. Dr. Ashok Y. Dhamankar 3. Shri B.S. Pansare	Ph.D. Ph.D. B.Sc.

The recognition of the laboratories is valid for a period of five years from the date of publication of the notification. The recognition can be revoked earlier by the Government.

[F. No. Q-15017/24/99-CPW]

DR. G. K. PANDEY, Director

NOTE—The principal notification was published in the Gazette of India vide S.O. 728(E) dated 21st July, 1987 and subsequently amended vide :—

- (1) S.O. 838(E), dated 23rd September, 1987,
- (2) S.O. 989(E), dated 17th November, 1987,
- (3) S.O. 156(E), dated 24th February, 1989,
- (4) S.O. 489(E), dated 17th May, 1989,
- (5) S.O. 846(E), dated 24th October, 1989,
- (6) S.O. 375(E) dated 26th April, 1990,
- (7) S.O. 633(E), dated 31st August, 1994,
- (8) S.O. 54(E), dated 15th January, 1997,
- (9) S.O. 305(E), dated 7th April, 1997,
- (10) S.O. 173(E), dated 9th March, 1998,
- (11) S.O. 1508, dated 27th July, 1998 and
- (12) S.O. 454, dated 11th February, 2000.

सूचना और प्रसारण मंत्रालय

नई दिल्ली 15 मार्च 2001

ता. आ. 684—उक्त मंत्रालय की दिनांक 6-11-2000 की अधिसूचना के अधिकरण में और केन्द्रीय सिविल सेवा (वर्गीकरण, नियुक्ति तथा अपील) नियम, 1965 के नियम-9 के उप-नियम (2) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए एतद्वारा यह विनिर्दिष्ट किया जाता है कि महानिदेशक, दूरदर्शन के स्थान पर प्रथम सचिव, सूचना और प्रसारण मंत्रालय, नई दिल्ली, आकाशवाणी और दूरदर्शन के महानिदेशकों के पदों पर भर्ती किए जाने या तथा संबंधित सरकारी कर्मचारियों को प्रसार भारती (भारतीय प्रसारण निगम) में समाहित किए जाने, जो भी पहले हो, तथा वे दिए सरकार द्वारा आकाशवाणी महानिदेशालय और दूरदर्शन महानिदेशालय में पहले से नियुक्त समूह 'ख' कर्मचारियों के संबंध में नियोजता प्राधिकारों के रूप में कार्य करने। तथापि, यह नई भर्ती/नियुक्ति तथा उनसे संबंधित मामलों पर लागू नहीं होगा।

[फा. सं. 39012/1/2000-सी(ए)]

आई. पी. मिश्रा, सचिव

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 15th March, 2001

S.O. 684—In supersession of this Ministry's Notification dated 6-11-2000 and in exercise of the powers conferred by sub-rule (2) of rule 9 of the Central Civil Services (Classification Control and Appeal) Rules, 1965, it is hereby specified that, in place of Director General, All India Radio and Doordarshan, New Delhi, the Additional Secretary, Ministry of Information & Broadcasting, New Delhi shall act as the Appointing Authority in respect of Group 'B' employees already appointed by the Government in the Directorate General: All India Radio and Directorate General: Doordarshan till such time the posts of Director General, All India Radio and Director General, Doordarshan are filled up or the concerned Government servants are absorbed in Prasar Bharati (Broadcasting Corporation of India), whichever is earlier. However, this shall not apply for new recruitments/appointments and matters connected thereto.

[File No. 39012/1/2000 B(A)]

I. P. MISHRA Under Secy.

नागर विमानन मंत्रालय

नई दिल्ली, 19 मार्च, 2001

का. आ. 685—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में नागर विमानन मंत्रालय के नियंत्रणाधीन भारतीय विमान पतन प्राधिकरण (राष्ट्रीय विमाननतन प्रभाग) के नेतृत्व स्थिति विमान क्षेत्र के कार्यालय को, जिसमें 80 % से अधिक कर्मचारी बृहत् नै हिन्दी का कार्यमाध्यम जान पालन कर विद्या है, अधिसूचित करती है।

[संख्या ई-11011/01/2000-हिन्दी]

चन्द्रशान ना गौली, निदेशक (राजभाषा)

MINISTRY OF CIVIL AVIATION

New Delhi, the 19th March, 2001

S.O. 685.—In pursuance of Sub-rule (4) of Rule 10 of the Official Languages (Use for the Official Purposes of the Union) Rule, 1976 the Central Government, hereby notifies office of the 1st Aerodrome of Airports Authority of India (NAD) of Ministry of Civil Aviation, where of, more than 80 per cent staff have acquired the working knowledge of Hindi.

[No. E-11011/01/2000-Hindi]

C. B. NARNAULI Director(O.L.)

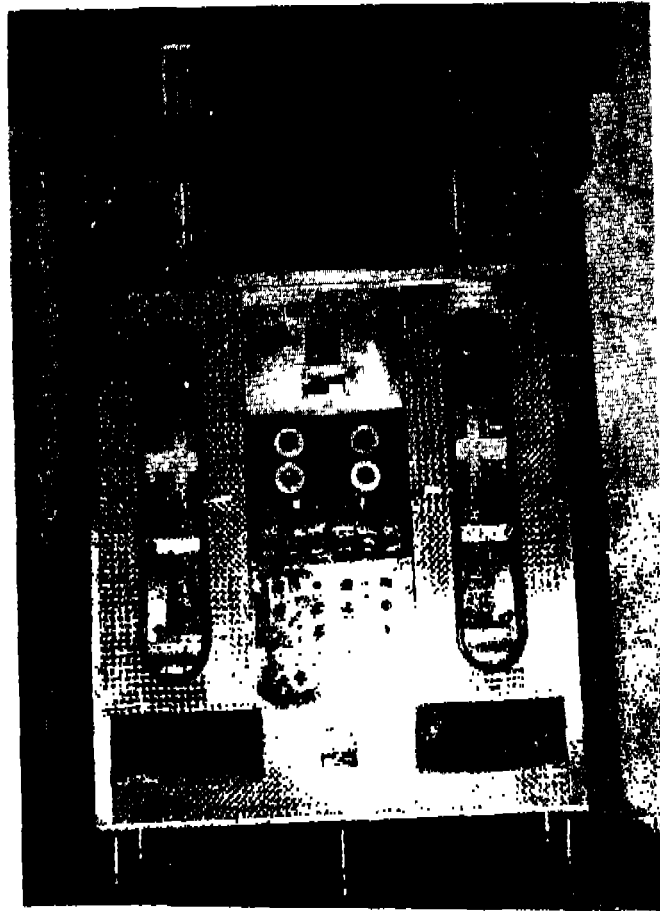
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 20 मार्च, 2001

का. आ. 686—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (आकृति नीचे दी गई है) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आर एम सी पैकेजिंग सिस्टम्स प्राइवेट लि., 25क और ख इलैक्ट्रॉनिक कम्प्लेक्स, कुशाइगुडा, हैदराबाद-500062 द्वारा विनिर्मित यथार्थता वर्ग (यथार्थता वर्ग) वाले "बी आई पी/6000" शृंखला के स्वचालित मशीन के मॉडल का, जिसके ब्रांड का नाम "विजय पैक" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/287 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित कर रहा है;



यह मॉडल (आकृति देखें) स्वचालित भरण मशीन है। यह अचर शीर्ष के अधीन गुरुत्वाकर्षण के मिद्धान्त पर कार्य करता है। मशीन को 100 मि.ली. से 1000 मि.ली. के बीच या समतुल्य भार का कोई नाम प्रदान करने के लिए समायोजित किया जा सकता है। यह 5000 पाउण्ड प्रति घंटा भर सकती है। मशीन मुक्त रूप से प्रवाहित होने वाले उत्पादों अर्थात् दूध, मक्खन वाला दूध, खनिज जल, देशी शराब, तरल उत्पाद आदि को भरने के लिए डिजाइन की गई है। यह 200 वोल्ट, 50 हर्टज प्रत्यावर्ती विद्युत प्रदाय पर कार्य करती है।

[फा. सं. एल्यू. एम -21(144)/97]

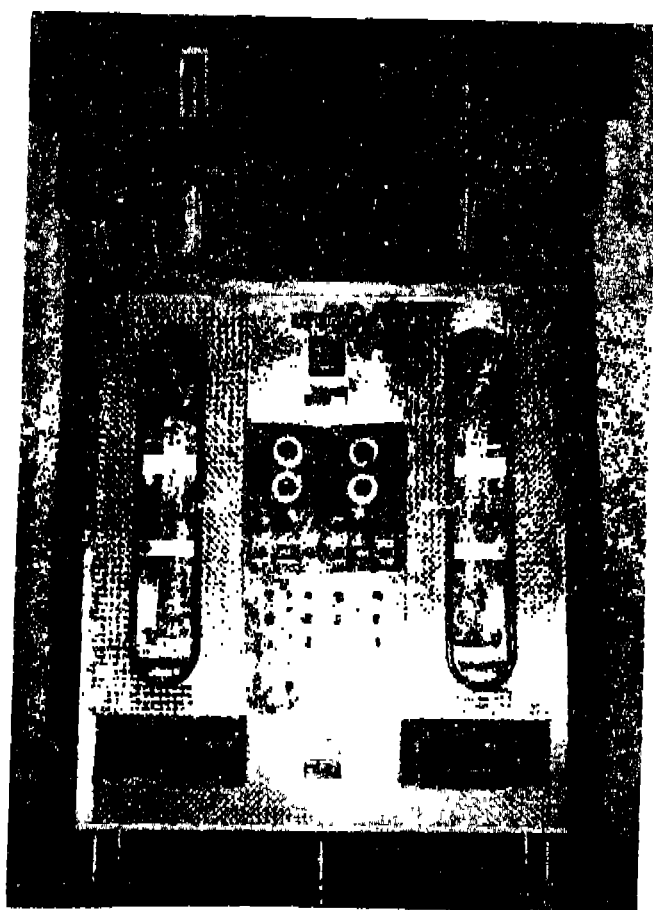
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 20th March, 2001

S.O. 686.—Whereas the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render its accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic filling machine of VIP 6000 series and with brand name "Vijaipac" (hereinafter referred to as the model) manufactured by M/s R M C Packaging Systems Private Ltd , 25 A & B Electronic Complex, Kushaiguda, Hyderabad-500 062 and which is assigned the approval mark IND/09/2000/287;



The said model (figure given) is an automatic filling machine. It works on the principle of gravity feed under constant head. The machine can be adjusted to deliver any range between 100 ml to 1000 ml or of equivalent weight. It can fill 5000 pouches per hour. The machine is designed to fill free flowing products such as milk, butter milk, mineral water, country liquor, liquid products etc. It operates on 220 volt, 50-Hertz alternate current power supply.

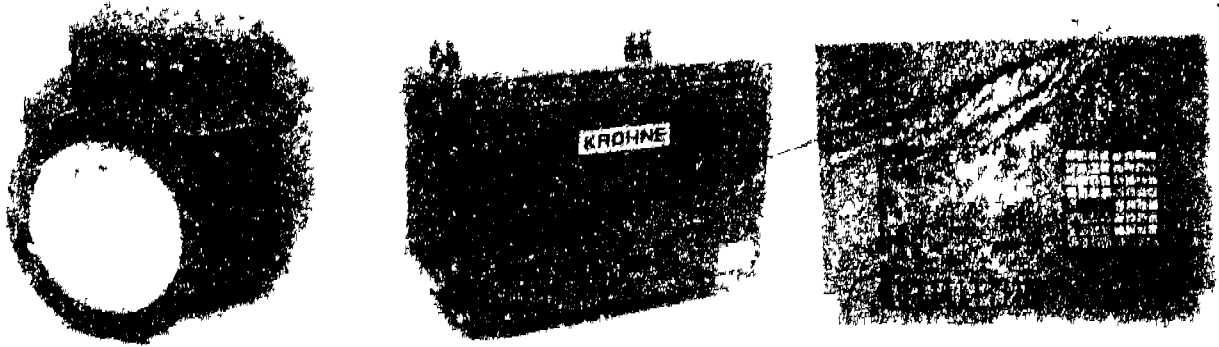
[F No WM -21(144)/97]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 20 मार्च, 2001

का. आ. 687.—केन्द्रीय सरकार का, फिजिकलिसच-टेक्निश्व बदेसासटाच्ट, ग्रौन्सज्जैंग अंड बर्लिन द्वारा सजूर माडल और जाच परिणामों के साथ विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (आकृति नीचे दी गई है) बाट और माप मानक अधिनियम 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा,

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स क्रोन अल्टोमीटर केरकेप्लाट, 3313, एल सी दोरद्रेष्ट/नोदरलैड द्वारा विनिर्दिष्ट और भारत में मैसर्स क्रोन मार्शल लि, ए-34/35 एम आई डी सी एस्टेट, एच ब्लॉक, पिप्री, पुणे-411018 द्वारा विक्रीत यथार्थता वर्ग (यथार्थता वर्ग) वाले भूखला के अकक मूचन सहित एल्टोसोनिक बी अल्ट्रासोनिक मीटर के मॉडल का, जिसके ब्रांड का नाम "एल्टोसोनिक बी-मल्टीचैनल अल्ट्रासोनिक मेजरमेंट सिस्टम" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/13/2000/234 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है,



मॉडल (आकृति देखें) आकृति माडल की तकनीकी विशेषताएं निम्नलिखित रूप में हैं—

विस्कोसिटी रेंज 1 से 125 एम पी ए स्

टैम्प्रेचर रेंज 10° सी से 120° सी

प्रेशर 160 बार

तरल की प्रकृति सभी तरल पेट्रोलियम उत्पाद तरल स्थिति में खाद्य अल्कोहल रासायनिक उत्पाद।

इस माडल अनुमोदन के अंतर्गत 100 मि मी से 100 मि मी अनिहित व्यास का मीटर भी है।

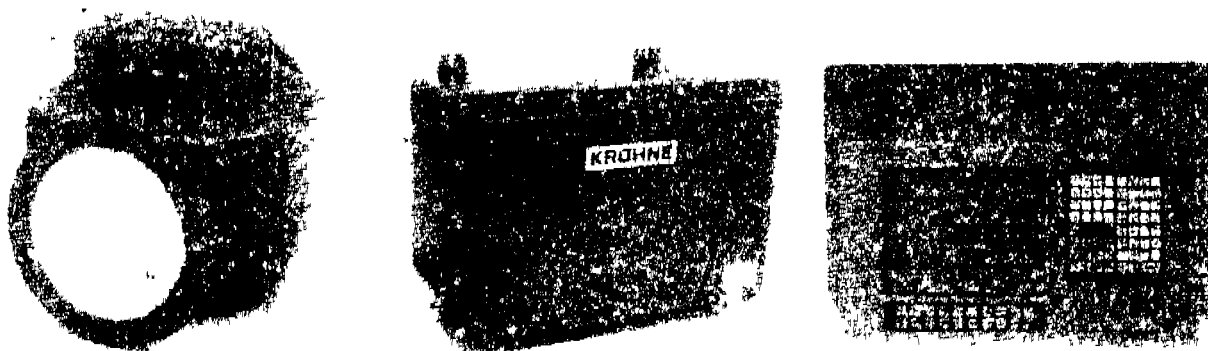
[फा स डब्ल्यू एम -21(165)/2000]

पी ए कृष्णमूर्ति, निदेशक विधिक माप विज्ञान

New Delhi, the 20th March, 2001

S.O. 687.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with model approval and test results, granted by Physikalisch Technische Bundesanstalt, Braunschweig und Berlin is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the Altosonic V Ultrasonic Meters with digital display (hereinafter referred to as the model) with brand name "Altosonic V Multichannel Ultrasonic measurement systems", manufactured by of M/s Krone Altometer Kerkeplaat, 3313 LC Dordrecht/Nederland's and sold in India by M/s Krone Marshall Ltd, A-34/35 MIDC Estate, H-block, Pimpri, Pune-411018 and which is assigned the approval mark IND/13/2000/234,



The model (see the figure) The technical features of the model as follows

Viscosity range 1 to 125 mp a s

Temperature range -10°C to 120° C

Pressure 160 bar

Nature of liquid All liquid petroleum products, Food, alcohol chemical products in liquid state

This model approval shall also cover meter of nominal diameter 100 mm to 1000 mm

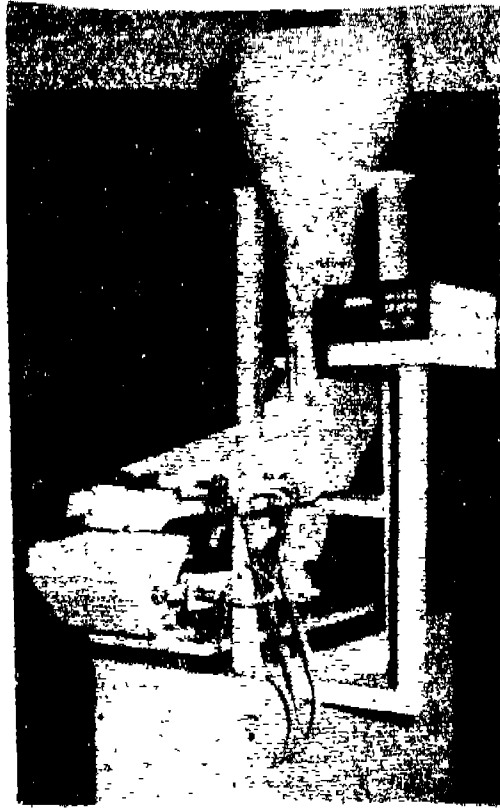
[F No W M -21(165)/2000]

P A KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 मार्च, 2001

का. आ. 688.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (आकृति नीचे दी गई है) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैमर्स ट्राइएंगल आटोमेशन, 44/5, नव-सह्याद्री सोसाइटी पूणे-411052 द्वारा निर्मित "जी एफ एम" शृंखला की स्वचालित तोलन मशीन के मॉडल का, जिनके ब्रांड का नाम "ट्राइएंगल" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/38 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;



यह मॉडल (आकृति देखें) स्वचालित तोलन मशीन है। यह स्थिर शीर्ष के अधीन गुरुत्वाकर्षण के सिद्धान्त पर कार्य करती है। इसकी अधिकतम क्षमता 1 कि. ग्रा. है। सन्वापन मापमान अन्तराल (ई) का मान 0.5 ग्राम है। मशीन मुक्त रूप से प्रवाहित होने वाले दानेदार उत्पादों जैसे कि चाय, चीनी, मसाले, खाद, रसायन, अनाज, पशु खाद्य आदि भरने के लिए डिजाइन की गई है। भरने की दर प्रति मिनट 30 से 50 फिल्ल्स (भरत) है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिनमें अनुमोदित मॉडल का विनिर्माण किया गया है।

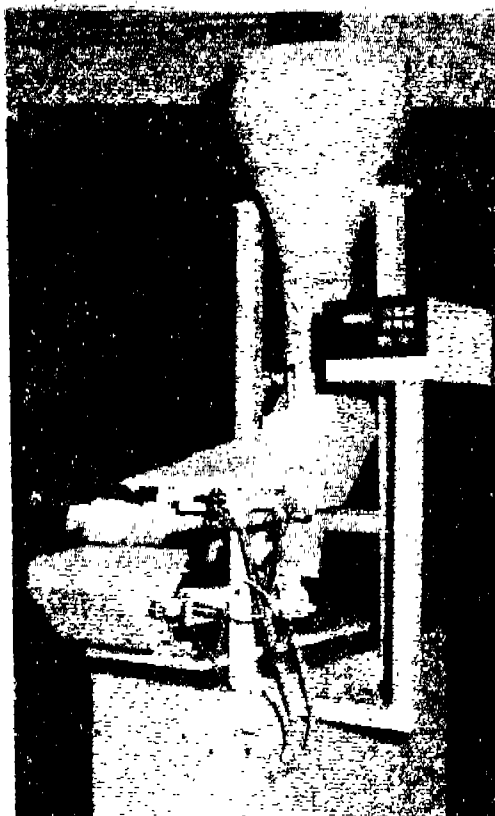
[फा. सं. डब्ल्यू. एम.-21(35) 99]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd March, 2001

S.O. 688.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by Sub-sections (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of automatic weighing machine (hereinafter referred to as the model) of "GFM" series with brand name "TRIANGLE", manufactured by M/s. Triangle Automation, 44/5, Nav-Sahyadri Soc, Pune 411052 and which is assigned the approval mark IND/09/2000/38;



The model is an automatic weighing machine. It works on the principle of gravity feed under constant head. The maximum capacity is 1 kg, with scale interval of 0.5g. The machine is designed to fill free flowing granular products like tea, sugar, spices, fertilizer, chemicals, cereals, animal feed etc. The rate of filling is 30 to 50 fills per minute;

And Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 5 kg, manufactured by the same manufacturer in accordance with same principle, design and with the same materials which the approved Model has been manufactured.

[F. No. W.M.-21(35)/99]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली 29 मार्च, 2001

का. आ. 689.— केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में जिला रायगढ़ के ग्राम गवहन तालुक— पानवेल में फीड स्टॉक, प्राकृतिक गैस प्रभाजन ग2/ग3 के परिवहन के लिए भारतीय पेट्रोरसायन कारपोरेशन लिमिटेड, महाराष्ट्र गैस क्रैकर काम्पलैक्स, नागाठाणे, तालुक—, रोहा जिला रायगढ़ के अभिकर्ता के माध्यम से पाइपलाइन बिछाई जानी है ,

और, केन्द्रीय सरकार को यह प्रतीत होता है कि ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए उस भूमि में, जिसमें उक्त पाइपलाइन को बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से सलग्न अनुसूची में वर्णित है, उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अनुसूची में निर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने के अपने आशय को अधिसूचित करती है ;

अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति इसके उपयोग या भूमि के नीचे पाइपलाइन बिछाने के अधिकार के अर्जन का आक्षेप लिखित रूप में उस तारीख से, जिसको भारत के राजपत्र में यथा प्रकाशित अधिसूचना की प्रतिया साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर सक्षम प्राधिकारी भारतीय पेट्रोरसायन कारपोरेशन लिमिटेड महाराष्ट्र गैस क्रैकर काम्पलैक्स प्रभाग नागाठाणे, तालुक—रोहा जिला रायगढ़ को कर सकेगा।

अनुसूची
(सलग्न)

अनुसूची

अ.न.	गाँव का नाम	तहसील	जिला	सर्वे न.	हि न	गैट नं.	क्षेत्र
1.	2.	3.	4.	5.	6.	7.	8. (हे.आर.)
	गव्हाण (क्रमशः)	पनवेल	रायगड	113	3 (पी)	-	0-00-7
				90	7अ (पी)	-	0-06-8
				103	5 (पी)	-	0-06-5
				101	3अ (पी)	-	0-06-5
				101	3ब (पी)	-	0-04-8
				103	3 (पी)	-	0-04-8
				103	4 (पी)	-	0-03-0
				105	5 (पी)	-	0-07-3
				105	4 (पी)	-	0-01-7
				105	3 (पी)	-	0-06-8
				105	2 (पी)	-	0-00-7
				106	1(2) (पी)	-	0-00-2
				106	4 (पी)	-	0-11-0
				107	1 (पी)	-	0-06-8
				107	2 (पी)	-	0-00-5
				107	3 (पी)	-	0-01-2
				88अ	2 (पी)	-	0-04-5
				88अ	3 (पी)	-	0-01-0
				108	1 (पी)	-	0-00-5
				108	2 (पी)	-	0-03-6
				109	1+2 (पी)	-	0-04-8
				109	3 (पी)	-	0-00-5
				109	4 (पी)	-	0-02-5
				112	1अ (पी)	-	0-02-0
				112	1ब (पी)	-	0-01-3
				112	1क (पी)	-	0-02-3
				84	4 (पी)	-	0-00-5
				82	1 (पी)	-	0-01-0
				82	2 (पी)	-	0-00-5
				114	1 (पी)	-	0-08-6
				114	2 (पी)	-	0-00-7

1.	2.	3.	4.	5.	6.	7.	8.
	गव्हाण	पनवेल	रायगड	114	3 (पी)	-	0-09-8
	(क्रमशः)			116	2 (पी)	-	0-04-2
				116	3 (पी)	-	0-08-8
				116	4 (पी)	-	0-04-8
				121	1+2 (पी)	-	0-18-1
				121	4 (पी)	-	0-00-2
				121	5 (पी)	-	0-00-7
				122	5 (पी)	-	0-23-1
				124	1 (पी)	-	0-00-8
				124	2 (पी)	-	0-04-0
				124	3 (पी)	-	0-00-7
				124	4 (पी)	-	0-04-3
				124	5 (पी)	-	0-03-5
				124	6 (पी)	-	0-00-7
				124	8 (पी)	-	0-02-0
				126	1 (पी)	-	0-06-5
				126	2 (पी)	-	0-05-5
				126	5 (पी)	-	0-00-2
				126	3 (पी)	-	0-06-5
				125	1 (पी)	-	
				125	2 (पी)	-	0-00
				75	1+2 (पी)	-	0-0
				74	1 (पी)	-	0-0
				61	6 (पी)	-	0-01-7
				61	7 (पी)	-	0-11-1
				73	1 (पी)	-	0-01-2
				62	5 (पी)	-	0-03-5

[सं. एल.-14014/1/01-जी. पी.]

आई. एस. एन. प्रसाद, निदेशक

Ministry of Petroleum & Natural Gas

New Delhi, the 29th March, 2001

S. O. 689.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the feed stock natural gas, fractionate C2/C3 or any mineral in village Gavhan Taluka-Panvel, District Raigad in the State of Maharashtra, pipelines should be laid through the agency of Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex, Nagothane, Taluka-Roha, District Raigad;

And, whereas, it appears to the Central Government that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the lands under which the said pipelines is proposed to be laid, and which is described in the Schedule annexed to this notification; Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby notify its intention to acquire the right of user in the lands referred to in the Schedule;

Any person interested in the land described in the Schedule may, within twenty-one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to the Competent Authority, Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Nagothane Taluka-Roha, District Raigad.

Schedule

SR NO	NAME OF VILLAGE	TAHSIL	DIST.	S1. No.	H. NO.	GUI NO.	AREA H. R.
1	2	3	4	5	6	7	8
1.	Gawhan	Panvel	Raigad	113	3 (P)		0-00-7
				90	7A (P)		0-06-8
				103	5 (P)		0-06-5
				101	3A (P)		0-06-5
				101	3B (P)		0-04-8
				103	3 (P)		0-04-8
				103	4 (P)		0-03-0
				105	5 (P)		0-07-3
				105	4 (P)		0-01-7
				105	3 (P)		0-06-8
				105	2 (P)		0-00-7
				106	1(2) (P)		0-00-2
				106	4 (P)		0-11-0
				107	1 (P)		0-06-8
				107	2 (P)		0-00-5
				107	3 (P)		0-01-2
				88 A	2 (P)		0-04-5
				88 A	3 (P)		0-01-0
				108	1 (P)		0-00-5
				108	2 (P)		0-03-6
				109	1+2 (P)		0-04-8
				109	3 (P)		0-00-5
				109	4 (P)		0-02-5
				112	1A (P)		0-02-0
				112	1B (P)		0-01-3
				112	1C (P)		0-02-3
				84	4 (P)		0-00-5
				82	1 (P)		0-01-0
				82	2 (P)		0-00-5
				114	1 (P)		0-08-6
				114	2 (P)		0-00-7
				114	3 (P)		0-09-8
				116	2 (P)		0-04-2
				116	3 (P)		0-08-8
				116	4 (P)		0-04-8
				121	1+2 (P)		0-18-1
				121	4 (P)		0-00-2
				121	5 (P)	-	0-10-7
				122	5 (P)	-	0-23-1
				124	1 (P)	-	0-00-8
				124	2 (P)	-	0-04-0
				124	3 (P)	-	0-00-7
				124	4 (P)	-	0-04-3
				124	5 (P)	-	0-03-5
				124	6 (P)	-	0-00-7
				124	8 (P)	-	0-02-0
				126	1 (P)	-	0-06-5
				126	2 (P)	-	0-05-5

1	2	3	4	5	6	7	8
				126	3 (P)	-	0-00-7
				126	3 (P)	-	0-06-7
				125	1 (P)	-	0-00-3
				125	2 (P)	-	0-06-7
				75	1+2 (P)	-	0-11-6
				74	1 (P)	-	0-01-
				61	6 (P)	-	0-01-
				61	7 (P)	-	0-11-
				73	1 (P)	-	0-01-
				62	3 (P)	-	0-03-3

[No -L-14014/1/01 GP]
I S N PRASAD Director

नई दिल्ली 29 मार्च, 2001

का. आ. 690.— केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जिला सूरत में हजीरा से जिला भरुच में भरुच दाहेज तक प्राकृतिक गैस के परिवहन के लिये गुजरात स्टेट पेट्रोलियम कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को यह भी प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए उस भूमि में जिसमें ऐसी पाइपलाइन बिछाने का प्रस्ताव है और जिसका इस अधिसूचना से सलग्न अनुसूची में वर्णन किया गया है, उपयोग के अधिकार का अर्जन करना आवश्यक है ,

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग के अधिकार अर्जन करने के अपने आशय की घोषणा करती है ,

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, उस तारीख से, जिसको भारत के राजपत्र में, यथा प्रकाशित इस अधिसूचना की प्रतिया साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि के नीचे पाइपलाइन बिछाने के सबंध में लिखित रूप में आक्षेप सम्मत् प्राधिकारी, गुजरात स्टेट पेट्रोलियम कारपोरेशन लिमिटेड, ब्लाक नं० 15,

नं० मजिल, उद्योग भवन, सेक्टर नं० 11, गान्धीनगर-382 011, गुजरात को कर सकेगा .

ज़िल्ला: गरुघ			सन्ध: गुजरात		
तालुके का नाम	गांव का नाम	सर्वेक्षण सं / खंड सं.	हेक्टर	क्षेत्र	मो-टीआरे
(1)	(2)	(3)	(4)	(5)	(6)
गरुघ	अलग	244	00	21	30
		241	00	41	10
		239/बी	00	23	20
		218	00	52	40
		भरत से पालीत मरता मर्यापौरी मार्ग 6	00	05	00
	गुणुण	328	00	30	20
		329	00	08	00
		331	00	12	20
		335	00	26	20
		349	00	24	20
		350	00	11	30
		352	00	08	40
		396	00	16	30
		395	00	01	00
		394	00	15	60
		354	00	06	10
		355/पैकी	00	20	80
		356/पैकी	00	15	00
		236	00	22	20
		नाला	00	03	60
	कोठी	234	00	05	00
		233/ए	00	38	90
		317	00	15	30
		770	00	25	60
		314	00	06	40
		313	00	19	60
		311	00	21	40
		310	00	22	00
		312	00	12	00
		298	00	07	00
		294	00	39	80
		295	00	06	40
		296	00	03	20
		297	00	09	40
		279	00	29	00
		280	00	03	30
		बट्टिक (टॉरेंट - कोठी)	00	02	50

(1)	(2)	(3)	(4)	(5)	(6)
	कोठी	274	00	03	40
	(क्रमशः)	275	00	17	00
		कोठी मेटल रास्ता	00	02	00
	थाम	143	00	02	90

[सं. एल -14014/4/99-जी. पी. (भाग-II)]

आई. एम. एन. प्रसाद, निदेशक

New Delhi, the 29th March, 2001

S. O. 690.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of natural Gas in the State of Gujarat from Hazira in District Surat to Bharuch Dahej in District Bharuch, pipelines should be laid by the **Gujarat State Petroleum Corporation Limited**,

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification,

Now, therefore, in exercise of the powers conferred by sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the lands described in the said Schedule may within twenty-one days from the date on which the copies of the notification, as published in the official Gazette, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to The Competent Authority, **Gujarat State Petroleum Corporation Ltd.**, Block No. 15, 2nd Floor, Udyog Bhavan, Sector No. 11, Gandhinagar-382 011, Gujarat,

District : BHARUCH**State : Gujarat**

Name of Taluka	Name of Village	Survey No. /Block No.	Area		
			Hectare	Acres	Sentare
(1)	(2)	(3)	(4)	(5)	(6)
BHARUCH	ALDAR	244	00	21	30
		241	00	41	10
		239/B	00	23	20
		238	00	52	40
		Bharuch-Palej Road SH-6	00	05	00
	PAGUTHAN	328	00	30	20
		329	00	08	00
		331	00	12	20
		335	00	26	20
		349	00	24	20
		350	00	11	30
		352	00	08	40
		396	00	16	30
		395	00	01	00
		394	00	15	60
		354	00	06	10
		355/P	00	20	80
		356/P	00	15	00
	KOTHI	236	00	22	20
		Drain	00	03	60
		234	00	05	00
		233/A	00	38	90
		317	00	15	30
		770	00	25	60
		314	00	06	40
		313	00	19	60
		311	00	21	40
		310	00	22	00
		312	00	12	00
		298	00	07	00
		294	00	39	80
		295	00	06	40
		296	00	03	20
		297	00	09	40
		279	00	29	00
		280	00	03	30
		Carttrack (Torrent - Kothi)	00	02	50

(1)	(2)	(3)	(4)	(5)	(6)
	KOTHI	274	00	03	40
	(Cont.)	275	00	17	00
	Kothi-Metalled Road		00	02	00
	THAM	143	00	02	90

[No -L-14014/4/99 GP (Part II)]

I S N PRASAD Director

नई दिल्ली 29 मार्च, 2001

का.आ. 691.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2331 तारीख 16 अक्टूबर 2000, द्वारा पश्चिमी बंगाल राज्य में हल्दिया से बिहार राज्य के बरौनी तक इंडियन ऑयल कार्पोरेशन लिमिटेड द्वारा अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 16.11.2000 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का, उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाता है;

यह और कि केन्द्रीय सरकार, उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार इस अधिसूचना के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची					
पुलिस थाना : सुताहाटा	जिला	मिदनापुर	राज्य	पश्चिमी बंगाल	
गाँव	अधिकारिता सूची संख्या	प्लॉट संख्या	क्षेत्र		
			हैक्टर	आर	सेंटीआर
1	2	3	4	5	6
किम्मत शिवरामनगर	94	814	0	0	65
		815	0	0	20
		816	0	0	20
		817	0	0	20
		818	0	1	16
		819	0	2	92
		820	0	5	29
		822	0	14	71
		830	0	20	33
		831	0	3	76
		832	0	8	07
		833	0	10	02
		834	0	0	20
		902	0	8	59
		903	0	1	75
		905	0	6	64
		906	0	0	54
		909	0	4	36
		910	0	5	01
		914	0	9	70
		915	0	3	62
		956	0	3	57
		957	0	7	61
		962	0	6	75
		964	0	2	88
		965	0	2	55
		966	0	5	43
		967	0	7	38
		970	0	0	21
		971	0	0	37
		972	0	9	73
		973	0	0	70

1	2	3	4	5	6
		975	0	0	20
		1220	0	0	60
		1284	0	0	56
		1285	0	1	34
		1286	0	4	27
		1287	0	4	08
		1288	0	1	09
		1291	0	3	62
		1292	0	4	18
		1293	0	3	16
		1294	0	2	14
		1295	0	10	07
		1333	0	6	13
		1336	0	11	42
		1338	0	10	58
		1855	0	0	83
		1888	0	5	76
		1889	0	5	58
		1890	0	4	36
		1891	0	4	55
		1892	0	2	23
		1893	0	2	78
		1894	0	1	23
		1895	0	1	39
		1896	0	1	26
		1897	0	1	39
		1898	0	1	95
		1900	0	2	37
		1901	0	3	62
		1902	0	0	20
		1903	0	0	20
		1921	0	0	52
		1922	0	0	28
		1923	0	1	67
		1924	0	3	62
		1925	0	14	39

1	2	3	4	5	6
		1927	0	00	98
		1928	0	01	40
		1929	0	09	47
		2849	0	0	98
चाउलखोला	93	645	0	0	20
		646	0	3	53
		647	0	1	06
		648	0	1	46
		649	0	0	86
		650	0	2	32
		664	0	0	70
		665	0	0	20
		666	0	2	97
		667	0	0	89
		668	0	0	70
		714	0	0	28
		717	0	1	73
		718	0	2	65
		719	0	2	68
		720	0	0	83
		722	0	1	86
		723	0	0	51
		725	0	0	23
		892	0	2	45
		893	0	0	67
		1052	0	2	45
		1053	0	2	68
		1054	0	2	12
		1061	0	0	60
		1062	0	5	24
		1063	0	1	89
		1064	0	0	20
		1068	0	0	20
		1081	0	1	89
		1088	0	1	11

1	2	3	4	5	6
		1094	0	1	30
		1095	0	0	83
		1096	0	0	20
		1100	0	0	56
		1101	0	0	20
		1102	0	1	83
		1103	0	0	20
		1104	0	2	65
		1105	0	0	20
		1133	0	0	70
		1134	0	0	80
		1136	0	0	21
		1137	0	1	81
		1138	0	2	78
		1139	0	0	75
		1141	0	0	20
		1146	0	0	80
		2477	0	0	91
		2479	0	1	58
		2480	0	1	53
		2481	0	0	37
		2482	0	1	02
		2484	0	0	20
		2487	0	2	12
		2488	0	1	30
		2489	0	0	79
		2490	0	2	78
		2491	0	0	75
		2492	0	0	47
		2496	0	0	68
		2497	0	0	62
		2498	0	0	20
		2499	0	0	97
		2500	0	0	20

1	2	3	4	5	6
		14	0	0	60
		15	0	5	66
		16	0	8	59
		18	0	1	07
		19	0	5	71
		20	0	0	20
		21	0	8	08
		22	0	3	34
		23	0	5	06
		24	0	0	20
		82	0	0	20
		83	0	0	47
		84	0	3	16
		85	0	12	81
		147	0	0	91
		154	0	0	20
		157	0	1	62
		158	0	2	79
		159	0	0	20
		160	0	8	17
		161	0	0	20
		167	0	0	56
		169	0	8	59
		172	0	5	76
		173	0	1	77
		174	0	2	09
		175	0	4	97
		176	0	0	37
		180	0	0	20
		181	0	0	23
		182	0	7	24
		185	0	0	42
		186	0	1	86
		187	0	3	67
		191	0	0	20
		192	0	1	53

1	2	3	4	5	6
		193	0	0	20
		307	0	0	20
		308	0	2	46
		309	0	1	90
		327	0	1	16
		328	0	4	46
		343	0	0	32
		344	0	1	45
		346	0	3	34
		347	0	0	78
		348	0	0	98
		351	0	0	83
		353	0	0	65
		354	0	0	37
		355	0	1	74
		357	0	2	02
		424	0	1	19
		426	0	7	52
		427	0	0	20
		433	0	7	06
		434	0	4	04
		435	0	0	42
		438	0	0	32
		440	0	8	91
		1830	0	11	98
		1883	0	0	45
गंगानम्बालि	61	53	0	1	77
		395	0	4	36
		396	0	2	28
		397	0	2	55
		399	0	1	11
		400	0	2	02
		401	0	0	20
		407	0	3	70
		408	0	0	47

1	2	3	4	5	6
		473	0	2	23
		474	0	0	47
		483	0	4	45
		484	0	6	32
		486	0	0	20
		487	0	5	20
		488	0	1	16
		491	0	4	13
		496	0	2	60
		497	0	7	15
		508	0	2	37
		511	0	4	04
		517	0	4	92
		518	0	3	48
		526	0	1	67
		527	0	3	53
		531	0	1	67
		533	0	0	79
		534	0	0	42
		539	0	0	28
		540	0	0	20
		548	0	0	20
		549	0	0	23
		619	0	14	02
		739	0	1	02
		754	0	7	29
		755	0	3	11
		756	0	0	20
		758	0	0	20
		767	0	0	28
		768	0	5	83
		769	0	4	83
		770	0	0	65
		771	0	0	35
वाग्वासुदेवपुर	62	9 1	0	0	26

1	2	3	4	5	6
		942	0	4	27
		943	0	3	06
		944	0	3	34
		945	0	9	05
		946	0	5	85
		947	0	0	28
		948	0	0	20
		949	0	1	39
		950	0	10	44
		951	0	2	23
		952	0	6	03
		962	0	3	85
		964	0	0	20
		1084	0	1	30
		1086	0	1	90
		1087	0	1	35
		1089	0	1	37
		1090	0	3	25
		1091	0	0	20
		1094	0	2	97
		1095	0	5	11
		1096	0	0	37
		1116	0	0	75
		1125	0	1	07
		1126	0	1	32
		1229	0	7	33
		1231	0	4	46
		1232	0	2	41
		1233	0	2	51
		1234	0	0	37
		1256	0	0	20
		1258	0	10	86
		1512	0	0	23
		1513	0	11	39
		1515	0	5	89
		1516	0	4	59

2

3

4

5

6

1517	0	1	67
1556	0	12	62
1558	0	2	04
1559	0	4	13
1561	0	4	59
1705	0	6	82
1706	0	3	90
1707	0	3	06
1708	0	3	62
1709	0	3	
1711	0	14	62
1712	0	13	32
1714	0	6	92
1851	0	6	82
1852	0	3	29
1853	0	1	53
1854	0	0	34
1857	0	1	49
1858	0	4	83
1859	0	1	49
1869	0	0	83
1870	0	3	25
1871	0	2	60
1872	0	0	47
1874	0	0	47
1868	0	0	20
2061	0	0	20
2064	0	14	48
2065	0	7	15
2066	0	1	35
2181	0	0	93
2182	0	3	85
2183	0	4	74
2184	0	0	28
2185	0	1	67
2186	0	3	34

1	2	3	4	5	6
		2329	0	4	64
		2330	0	3	71
		2331	0	7	99
		2333	0	2	23
		2334	0	2	69
		2335	0	1	67
		2336	0	1	53
		2337	0	7	84
		2338	0	1	95
		2345	0	1	81
		2348	0	2	14
		2535	0	10	30
		2536	0	3	71
		2731	0	0	34
		2732	0	3	20
		2734	0	0	83
		2739	0	5	76
		2740	0	4	69
		2739/3141	0	2	32
		2743/3143	0	2	14
		2743/3145	0	0	20
		2744/3147	0	1	58
		2744/3148	0	4	46
58		1847	0	6	45
		1848	0	12	88
		1849	0	0	23
		1850	0	7	40
		1855	0	3	09
		1856	0	6	68
		1857	0	0	20
		1859	0	2	88
		1871	0	0	20
		1872	0	3	71
		1875	0	0	20
		1888	0	2	32

1	2	3	4	5	6
		1890	0	10	04
		1891	0	0	35
		1892	0	9	75
		1893	0	0	20
		1900	0	0	20
		1901	0	7	05
		1902	0	7	10
		1903	0	9	26
		1904	0	10	49
		1907	0	12	11
		1926	0	0	26
		1930	0	2	41
		1969	0	17	13
		1970	0	3	76
		1971	0	7	48
		1972	0	1	67
		2004	0	0	20
		2017	0	8	91
		2018	0	0	56
		2019	0	0	20
		2030	0	0	20
		2031	0	4	18
		2033	0	1	35
		2034	0	9	89
		2035	0	4	59
		2036	0	5	66
		2037	0	1	07
		2041	0	2	69
		2047	0	5	94
		1853/3602	0	6	68
		1853/3603	0	7	15
		1856/3267	0	2	46
		1859/3816	0	0	98
		1859/3817	0	0	20
		1859/3818	0	9	24
		1888/3607	0	8	68

1	2	3	4	5	6
		1888/3609	0	7	24
		1889/3611	0	0	20
		1889/3612	0	5	99
		1979/3629	0	2	83
कमवर्गिया	146	61	0	19	75
		62	0	0	20
		77	0	17	45
		78	0	7	80
		79	0	4	16
		84	0	0	20
		88	0	2	62
		89	0	5	57
		90	0	15	29
		92	0	1	21
		93	0	0	56
		94	0	1	06
		95	0	3	73
		96	0	2	24
		97	0	2	14
		99	0	0	58
		102	0	10	00
		171	0	11	23
		172	0	1	35
		173	0	2	51
		177	0	4	56
		178	0	3	44
		179	0	6	28
		180	0	1	17
		183	0	0	81
		186	0	3	81
		187	0	2	04
		240	0	0	22
		360	0	7	89
		362	0	0	20
		363	0	4	73

1	2	3	4	5	6
		348/1749	0	0	70
डिहिशिबरामनगर	95	442	0	3	62
		443	0	3	39
		444	0	5	75
		445	0	0	28
		454	0	0	61
		455	0	1	76
		456	0	0	20
		459	0	1	08
		460	0	3	85
		461	0	3	11
		470	0	0	65
		477	0	4	64
		480	0	0	61
		482	0	1	95
		483	0	2	23
		484	0	1	95
		482/1001	0	0	60

[सं. आर.-31015/43/2000-ओ आर-1]

एस चन्द्रशेखर, अवर सचिव

New Delhi, the 29th March, 2001

S. O. 691.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2331 dated the 16th October, 2000, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of crude oil from Haldia in the State of West Bengal to Barauni in the State of Bihar;

And whereas, the copies of the said notification were made available to the public on 06.11.2000;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule to this notification are hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of the said Section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, from the date of publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

Police Station	Sutahata	District	Midnapur	State West Bengal		
Village	Jurisdiction	Plot	Area			
	List No	No	Hectares	Ares	Centiares	
1	2	3	4	5	6	
Kismat Shibramnagar	94	814	0	0	65	
		815	0	0	20	
		816	0	0	20	
		817	0	0	20	
		818	0	1	16	
		819	0	2	92	
		820	0	5	29	
		822	0	14	71	
		830	0	20	33	
		831	0	3	76	
		832	0	8	07	
		833	0	10	02	
		834	0	0	20	
		902	0	8	59	
		903	0	1	75	
		905	0	6	64	
		906	0	0	54	
		909	0	4	36	
		910	0	5	01	
		914	0	9	70	
		915	0	3	62	
		956	0	3	57	
		957	0	7	61	
		962	0	6	75	
		964	0	2	88	
		965	0	2	55	
		966	0	5	43	
		967	0	7	38	
		970	0	0	21	
		971	0	0	37	
		972	0	9	73	
		973	0	0	70	

1	2	3	4	5	6
		975	0	0	20
		1220	0	0	60
		1284	0	0	56
		1285	0	1	34
		1286	0	4	27
		1287	0	4	08
		1288	0	1	09
		1291	0	3	62
		1292	0	4	18
		1293	0	3	16
		1294	0	2	14
		1295	0	10	07
		1333	0	6	13
		1336	0	11	42
		1338	0	10	58
		1855	0	0	83
		1888	0	5	76
		1889	0	5	58
		1890	0	4	36
		1891	0	4	55
		1892	0	2	23
		1893	0	2	78
		1894	0	1	23
		1895	0	1	39
		1896	0	1	26
		1897	0	1	39
		1898	0	1	95
		1900	0	2	37
		1901	0	3	62
		1902	0	0	20
		1903	0	0	20
		1921	0	0	52
		1922	0	0	28
		1923	0	1	67
		1924	0	3	62
		1925	0	14	39

1	2	3	4	5	6
		1927	0	00	98
		1928	0	01	40
		1929	0	09	47
		2849	0	0	98
Chaulkhola	93	645	0	0	20
		646	0	3	53
		647	0	1	06
		648	0	1	46
		649	0	0	86
		650	0	2	32
		664	0	0	70
		665	0	0	20
		666	0	2	97
		667	0	0	89
		668	0	0	70
		714	0	0	28
		717	0	1	73
		718	0	2	65
		719	0	2	68
		720	0	0	2
		722	0	1	
		723	0	0	51
		725	0	0	23
		892	0	2	45
		893	0	0	67
		1052	0	2	45
		1053	0	2	68
		1054	0	2	12
		1061	0	0	60
		1062	0	5	24
		1063	0	1	89
		1064	0	0	20
		1068	0	0	20
		1081	0	1	89
		1088	0	1	11

1	2	3	4	5	6
		1094	0	1	30
		1095	0	0	83
		1096	0	0	20
		1100	0	0	56
		1101	0	0	20
		1102	0	1	83
		1103	0	0	20
		1104	0	2	65
		1105	0	0	20
		1133	0	0	70
		1134	0	0	80
		1136	0	0	21
		1137	0	1	81
		1138	0	2	78
		1139	0	0	75
		1141	0	0	20
		1146	0	0	80
		2477	0	0	91
		2479	0	1	58
		2480	0	1	53
		2481	0	0	37
		2482	0	1	02
		2484	0	0	20
		2487	0	2	12
		2488	0	1	30
		2489	0	0	79
		2490	0	2	78
		2491	0	0	75
		2492	0	0	47
		2496	0	3	68
		2497	0	0	63
		2498	0	0	20
		2499	0	0	97
		2500	0	0	20

1	2	3	4	5	6
		14	0	0	60
		15	0	5	66
		16	0	8	59
		18	0	1	07
		19	0	5	71
		20	0	0	20
		21	0	8	08
		22	0	3	34
		23	0	5	06
		24	0	0	20
		82	0	0	20
		83	0	0	47
		84	0	3	16
		85	0	12	81
		147	0	0	91
		154	0	0	20
		157	0	1	62
		158	0	2	79
		159	0	0	20
		160	0	8	17
		161	0	0	20
		167	0	0	56
		169	0	8	59
		172	0	5	76
		173	0	1	77
		174	0	2	09
		175	0	4	97
		176	0	0	37
		180	0	0	20
		181	0	0	23
		182	0	7	24
		185	0	0	42
		186	0	1	86
		187	0	3	67
		191	0	0	20
		192	0	1	53

1	2	3	4	5	6
		193	0	0	20
		307	0	0	20
		308	0	2	46
		309	0	1	90
		327	0	1	16
		328	0	4	46
		343	0	0	32
		344	0	1	45
		346	0	3	34
		347	0	0	78
		348	0	0	98
		351	0	0	83
		353	0	0	65
		354	0	0	37
		355	0	1	74
		357	0	2	02
		424	0	1	19
		426	0	7	52
		427	0	0	20
		433	0	7	06
		434	0	4	04
		435	0	0	42
		438	0	0	32
		440	0	8	91
		1830	0	11	98
		1883	0	0	45
Gorankhali	61	53	0	1	77
		395	0	4	36
		396	0	2	28
		397	0	2	55
		399	0	1	11
		400	0	2	02
		401	0	0	20
		407	0	3	70
		408	0	0	47

1	2	3	4	5	6
		473	0	2	23
		474	0	0	47
		483	0	4	45
		484	0	6	32
		486	0	0	20
		487	0	5	20
		488	0	1	16
		491	0	4	13
		496	0	2	60
		497	0	7	15
		508	0	2	37
		511	0	4	04
		517	0	4	92
		518	0	3	48
		526	0	1	67
		527	0	3	53
		531	0	1	67
		533	0	0	79
		534	0	0	42
		539	0	0	28
		540	0	0	20
		548	0	0	20
		549	0	0	23
		619	0	14	02
		739	0	1	02
		754	0	7	29
		755	0	3	11
		756	0	0	20
		758	0	0	20
		767	0	0	28
		768	0	5	83
		769	0	4	83
		770	0	0	65
		771	0	0	35
Barbasudebpur	62	941	0	0	26

1	2	3	4	5	6
		942	0	4	27
		943	0	3	06
		944	0	3	34
		945	0	9	05
		946	0	5	85
		947	0	0	28
		948	0	0	20
		949	0	1	39
		950	0	10	44
		951	0	2	23
		952	0	6	03
		962	0	3	85
		964	0	0	20
		1084	0	1	30
		1086	0	1	90
		1087	0	1	35
		1089	0	1	37
		1090	0	3	25
		1091	0	0	20
		1094	0	2	97
		1095	0	5	11
		1096	0	0	37
		1116	0	0	75
		1125	0	1	07
		1126	0	1	32
		1229	0	7	33
		1231	0	4	46
		1232	0	2	41
		1233	0	2	51
		1234	0	0	37
		1256	0	0	20
		1258	0	10	86
		1512	0	0	23
		1513	0	11	39
		1515	0	5	89
		1516	0	4	59

1	2	3	4	5	6
		1517	0	1	67
		1556	0	12	62
		1558	0	2	04
		1559	0	4	13
		1561	0	4	59
		1705	0	6	82
		1706	0	3	90
		1707	0	3	06
		1708	0	3	62
		1709	0	3	06
		1711	0	14	62
		1712	0	13	32
		1714	0	6	92
		1851	0	6	82
		1852	0	3	29
		1853	0	1	53
		1854	0	0	34
		1857	0	1	49
		1858	0	4	83
		1859	0	1	49
		1869	0	0	83
		1870	0	3	25
		1871	0	2	60
		1872	0	0	47
		1874	0	0	47
		1868	0	0	20
		2061	0	0	20
		2064	0	14	48
		2065	0	7	15
		2066	0	1	35
		2181	0	0	93
		2182	0	3	85
		2183	0	4	74
		2184	0	0	28
		2185	0	1	67
		2186	0	3	34

1	2	3	4	5	6
		2329	0	4	64
		2330	0	3	71
		2331	0	7	99
		2333	0	2	23
		2334	0	2	69
		2335	0	1	67
		2336	0	1	53
		2337	0	7	84
		2338	0	1	95
		2345	0	1	81
		2348	0	2	14
		2535	0	10	30
		2536	0	3	71
		2731	0	0	34
		2732	0	3	20
		2734	0	0	83
		2739	0	5	76
		2740	0	4	69
		2739/3141	0	2	32
		2743/3143	0	2	14
		2743/3145	0	0	20
		2744/3147	0	1	58
		2744/3148	0	4	46
Kunarpur	58	1847	0	6	45
		1848	0	12	88
		1849	0	0	23
		1850	0	7	40
		1855	0	3	09
		1856	0	6	68
		1857	0	0	20
		1859	0	2	88
		1871	0	0	20
		1872	0	3	71
		1875	0	0	20
		1888	0	2	32

1	2	3	4	5	6
		1890	0	10	04
		1891	0	0	35
		1892	0	9	75
		1893	0	0	20
		1900	0	0	20
		1901	0	7	05
		1902	0	7	10
		1903	0	9	26
		1904	0	10	49
		1907	0	12	11
		1926	0	0	26
		1930	0	2	41
		1969	0	17	13
		1970	0	3	76
		1971	0	7	48
		1972	0	1	67
		2004	0	0	20
		2017	0	8	91
		2018	0	0	56
		2019	0	0	20
		2030	0	0	20
		2031	0	4	
		2033	0	1	31
		2034	0	9	89
		2035	0	4	59
		2036	0	5	66
		2037	0	1	07
		2041	0	2	69
		2047	0	5	94
		1853/3602	0	6	68
		1853/3603	0	7	15
		1856/3267	0	2	46
		1859/3816	0	0	98
		1859/3817	0	0	20
		1859/3818	0	9	24
		1888/3607	0	8	68

1	2	3	4	5	6
		1888/3609	0	7	24
		1889/3611	0	0	20
		1889/3612	0	5	99
		1979/3629	0	2	83
Kasberia	146	61	0	19	75
		62	0	0	20
		77	0	17	45
		78	0	7	80
		79	0	4	16
		84	0	0	20
		88	0	2	62
		89	0	5	57
		90	0	15	29
		92	0	1	21
		93	0	0	56
		94	0	1	06
		95	0	3	73
		96	0	2	24
		97	0	2	14
		99	0	0	58
		102	0	10	00
		171	0	11	23
		172	0	1	35
		173	0	2	51
		177	0	4	56
		178	0	3	44
		179	0	6	28
		180	0	1	17
		183	0	0	81
		186	0	3	81
		187	0	2	04
		240	0	0	12
		300	0		69
		362	0	0	20
		363	0	4	73

1	2	3	4	5	6
		348/1749	0	0	70
Dihisibram Nagar	95	442	0	3	62
		443	0	3	39
		444	0	5	75
		445	0	0	28
		454	0	0	61
		455	0	1	76
		456	0	0	20
		459	0	1	08
		460	0	3	85
		461	0	3	11
		470	0	0	65
		477	0	4	64
		480	0	0	61
		482	0	1	95
		483	0	2	23
		484	0	1	95
		482/1001	0	0	60

[No -31015/43/2000 OR-I]
S CHANDRA SEKHAR, Under Secy

नई दिल्ली, 29 मार्च, 2001

का. आ. 692.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1030 तारीख 15 मई 2000 द्वारा पश्चिमी बंगाल राज्य के हल्दिया से बिहार राज्य के बरौनी तक इंडियन ऑयल कार्पोरेशन लिमिटेड द्वारा अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 01.06.2000 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाता है;

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार इस अधिसूचना के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लिंगमों से मुक्त इंडियन ऑयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची					
पुलिस थाना	सुताहाटा	जिला	मिदनापुर	राज्य	पश्चिमी बंगाल
गाँव	अधिकारिता	प्लॉट	क्षेत्र		
	सूची संख्या	संख्या	हैक्टर	आर	मंटेआर
1	2	3	4	5	6
कनारपुर	58	232	0	4	36
		233	0	0	20
		234	0	12	81
		235	0	0	39
		237	0	5	73
		238	0	7	43
		240	0	12	61
		242	0	11	14
		243	0	5	55
		249	0	0	20
		250	0	0	56
		251	0	3	34
		252	0	0	20
		253	0	1	07
		254	0	0	20
		256	0	5	75
		257	0	0	20
		258	0	5	29
		289	0	0	64
		290	0	4	20
		291	0	1	11
		292	0	2	14
		293	0	3	44
		294	0	0	42
		295	0	4	14
		296	0	4	18
		297	0	1	84
		298	0	3	07
		299	0	0	20
		339	0	0	20
		340	0	8	45
		342	0	0	28

1	2	3	4	5	6
		343	0	2	09
		344	0	5	54
		345	0	10	81
		348	0	4	23
		349	0	0	21
		363	0	6	82
		364	0	1	02
		417	0	0	20
		422	0	5	80
		423	0	5	24
		426	0	4	41
		427	0	3	04
		428	0	2	02
		486	0	0	20
		487	0	14	54
		490	0	4	42
		491	0	5	87
		492	0	0	20
		493	0	0	60
		494	0	1	56
		497	0	0	20
		498	0	6	54
		499	0	9	64
		500	0	0	20
		501	0	2	33
		502	0	2	69
		503	0	3	22
		710	0	3	80
		711	0	0	20
		712	0	8	77
		713	0	2	00
		714	0	1	16
		736	0	1	67
		737	0	0	32
		738	0	3	04
		739	0	2	18

1	2	3	4	5	6
		740	0	4	50
		741	0	6	01
		761	0	0	20
		762	0	4	18
		764	0	2	37
		765	0	6	03
		766	0	3	02
		776	0	7	61
		1253	0	1	36
		1254	0	0	56
		1262	0	7	75
		1263	0	0	20
		1264	0	6	77
		1267	0	5	48
		1268	0	4	33
		1269	0	3	10
		1270	0	2	19
		1271	0	4	97
		1272	0	11	68
		1282	0	0	20
		1283	0	8	96
		1285	0	0	20
		1286	0	6	92
		1287	0	10	49
		1288	0	2	04
		1292	0	8	17
		1314	0	0	70
		1315	0	2	97
		1317	0	3	23
		1318	0	3	20
		1319	0	3	14
		1321	0	0	60
		1322	0	8	24
		1323	0	1	25
		1324	0	0	20
		1325	0	0	74

1	2	3	4	5	6
		1327	0	0	20
		1328	0	0	61
		1331	0	0	56
		1332	0	1	53
		1334	0	3	52
		1335	0	0	20
		1336	0	7	20
		1434	0	5	75
		1435	0	0	56
		1904	0	8	12
		1907	0	9	32
		1926	0	4	32
		253/3782	0	3	34
		421/3347	0	0	37
		423/3348	0	3	20
		423/3349	0	0	98
		424/3350	0	2	83
		502/3368	0	1	67
		744/3408	0	0	45
		762/3470	0	0	69
		764/3472	0	0	20
		776/3419	0	4	97
ब्रजलालचक	57	1	0	2	32
		2	0	5	52
बाइमृदरा	54	219	0	1	02
		220	0	5	29
		221	0	8	22
		222	0	6	65
		223	0	0	49
		235	0	39	27
		236	0	8	96
		237	0	5	25
		289	0	0	20
		290	0	0	20

1	2	3	4	5	6
		291	0	9	80
		292	0	6	16
		294	0	11	52
		304	0	2	40
		343	0	0	61
		360	0	1	06
		361	0	11	58
		362	0	0	23
		363	0	7	74
		369	0	7	02
		370	0	4	73
		372	0	4	33
		373	0	0	20
		374	0	7	94
		375	0	2	88
		376	0	4	46
		377	0	3	06
		378	0	4	08
		379	0	0	21
		460	0	4	79
		510	0	6	21
		511	0	8	35
		512	0	0	23
		1024	0	5	72
		1025	0	9	15
		1026	0	7	24
		1065	0	8	35
		1067	0	2	41
		1068	0	5	32
		1076	0	12	29
		1077	0	4	54
		1078	0	8	41
		1080	0	7	11
		1087	0	1	35
		1088	0	5	16
		1089	0	1	00

1	2	3	4	5	6
		1092	0	3	48
		1093	0	3	95
		1136	0	6	77
		1137	0	10	69
		1140	0	3	34
		1141	0	2	32
		1142	0	2	60
		1143	0	5	44
		1144	0	2	83
		1179	0	0	28
		1180	0	0	37
		1189	0	1	72
		1190	0	0	20
		1191	0	0	20
		1192	0	1	73
		1193	0	1	81
		1194	0	0	20
		1195	0	3	80
		1196	0	0	20
		1228	0	0	93
		1236	0	6	59
		1277	0	3	53
		1422	0	0	20

हृष्यरदह जलपाठ

53

1	0	1	08
3	0	1	08
15	0	15	87
16	0	0	32
17	0	12	53
62	0	13	32
66	0	12	34
67	0	0	47
68	0	0	20
69	0	16	67
70	0	1	81
71	0	3	67

1	2	3	4	5	6
		83	0	15	87
		88	0	6	60
		89	0	12	17
		93	0	14	57
		94	0	5	43
		95	0	5	62
		96	0	3	95
		97	0	4	21
		98	0	2	65
		99	0	8	49
		100	0	1	39
		101	0	2	32
		113	0	0	23
		114	0	0	20
		115	0	2	15
		116	0	3	67
		137	0	1	84
		151	0	11	04
		154	0	12	39
		155	0	7	30
		156	0	2	14
		157	0	6	29
		159	0	2	97
		160	0	8	10
		161	0	3	95
		163	0	6	64
		194	0	5	48
		195	0	1	95
		196	0	1	95
		197	0	1	84
		198	0	1	21
		199	0	1	73
		200	0	4	93
		201	0	0	26
		202	0	0	20
		203	0	4	73

1	2	3	4	5	6
		204	0	5	66
		205	0	0	70
		283	0	0	74
		293	0	11	82
		1407	0	1	90
काष्ठ ग्वाली	51	2041	0	1	54
		2045	0	0	20
आतदंपुर	52	467	0	2	53
		539	0	8	21
		540	0	5	75
		541	0	9	89
		553	0	1	11
		554	0	0	65
		555	0	2	00
		583	0	1	56
		584	0	3	94
		585	0	4	04
		586	0	9	05
		587	0	0	20
		589	0	4	60
		591	0	9	93
		592	0	5	85
		600	0	1	91
		601	0	24	43
		625	0	4	50
		626	0	5	46
		627	0	7	41
		628	0	5	27
		663	0	1	08
		668	0	4	20
		669	0	1	20
		672	0	2	34
		673	0	5	01

1	2	3	4	5	6
		677	0	7	98
		678	0	2	69
		682	0	7	38
		684	0	3	11
		698	0	0	42
		699	0	0	37
		700	0	0	70
		834	0	1	53
		835	0	3	54
		836	0	0	20
		837	0	0	79
		838	0	1	81
		839	0	0	20
		840	0	0	70
		841	0	4	87
		842	0	3	80
		844	0	1	61
		845	0	0	20
		926	0	4	51
		927	0	3	98
		928	0	0	51
		931	0	0	79
		932	0	1	95
		933	0	4	08
		934	0	2	60
		935	0	6	00
		936	0	0	3
		937	0	0	22
		938	0	2	92
		674	0	8	26
		676	0	0	60
		1042	0	0	20
		1043	0	0	20
		1044	0	1	48
		1051	0	5	03
		1052	0	0	28

1	2	3	4	5	6
		1100	0	0	60
		1101	0	5	75
		1102	0	1	46
		1103	0	2	09
		1104	0	5	81
		1105	0	3	59
		1106	0	2	20
		1109	0	5	57
		1114	0	3	87
		1115	0	3	99
		1117	0	7	84
		1120	0	3	71
		1154	0	6	77
		540/1209	0	6	26
		586/1167	0	2	35
		626/1173	0	1	72
		835/1177	0	1	25

[सं. आग.-31015/2/2000-ओ आर-1]

एस. चन्द्रशेखर, अवर सचिव

New Delhi, the 29th March 2001

S. O. 692.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1030 dated the 15th May, 2000, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of crude oil from Haldia in the State of West Bengal to Barauni in the State of Bihar;

And whereas, the copies of the said notification were made available to the public on 01.06.2000;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule to this notification are hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of the said Section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, from the date of publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

"Schedule Annexed"

Schedule

Police Station : Sutahata		District : Midnapur		State : West Bengal	
Village	Jurisdiction	Plot. No.	Area		
	List No.		Hectares	Ares	Centiares
1	2	3	4	5	6
Kunarpur	58	232	0	4	36
		233	0	0	20
		234	0	12	81
		235	0	0	39
		237	0	5	73
		238	0	7	43
		240	0	12	61
		242	0	11	14
		243	0	5	55
		249	0	0	20
		250	0	0	56
		251	0	3	34
		252	0	0	20
		253	0	1	07
		254	0	0	20
		256	0	5	75
		257	0	0	20
		258	0	5	29
		289	0	0	64
		290	0	4	20
		291	0	1	11
		292	0	2	14
		293	0	3	44
		294	0	0	42
		295	0	4	14
		296	0	4	18
		297	0	1	84
		298	0	3	07
		299	0	0	20
		339	0	0	20
		340	0	8	45
		342	0	0	28

1	2	3	4	5	6
		343	0	2	09
		344	0	5	54
		345	0	10	81
		348	0	4	23
		349	0	0	21
		363	0	6	82
		364	0	1	02
		417	0	0	20
		422	0	5	80
		423	0	5	24
		426	0	4	41
		427	0	3	04
		428	0	2	02
		486	0	0	20
		487	0	14	54
		490	0	4	42
		491	0	5	87
		492	0	0	20
		493	0	0	60
		494	0	1	56
		497	0	0	20
		498	0	6	54
		499	0	9	64
		500	0	0	20
		501	0	2	33
		502	0	2	69
		503	0	3	22
		710	0	3	80
		711	0	0	20
		712	0	8	77
		713	0	2	00
		714	0	1	16
		736	0	1	67
		737	0	0	32
		738	0	3	04
		739	0	2	18

1	2	3	4	5	6
		740	0	4	50
		741	0	6	01
		761	0	0	20
		762	0	4	18
		764	0	2	37
		765	0	6	03
		766	0	3	02
		776	0	7	61
		1253	0	1	36
		1254	0	0	56
		1262	0	7	75
		1263	0	0	20
		1264	0	6	77
		1267	0	5	48
		1268	0	4	33
		1269	0	3	10
		1270	0	2	19
		1271	0	4	97
		1272	0	11	68
		1282	0	0	20
		1283	0	8	96
		1285	0	0	20
		1286	0	6	02
		1287	0	10	09
		1288	0	2	04
		1292	0	8	10
		1314	0	0	20
		1315	0	2	00
		1317	0	0	00
		1318	0	0	00
		1319	0	0	14
		1321	0	0	00
		1322	0	0	00
		1323	0	1	20
		1324	0	0	20
		1325	0	0	74

1	2	3	4	5	6
		1327	0	0	20
		1328	0	0	61
		1331	0	0	56
		1332	0	1	53
		1334	0	3	52
		1335	0	0	20
		1336	0	7	20
		1434	0	5	75
		1435	0	0	56
		1904	0	8	12
		1907	0	9	32
		1926	0	4	32
		253/3782	0	3	34
		421/3347	0	0	37
		423/3348	0	3	20
		423/3349	0	0	98
		424/3350	0	2	83
		502/3368	0	1	67
		744/3408	0	0	45
		762/3470	0	0	69
		764/3472	0	0	20
		776/3419	0	4	97
Brajalal Chak	57	1	0	2	32
		2	0	5	52
Barsundara	54	219	0	1	02
		220	0	5	29
		221	0	8	22
		222	0	6	65
		223	0	0	49
		235	0	39	27
		236	0	8	96
		237	0	5	25
		289	0	0	20
		290	0	0	20

1	2	3	4	5	6
		291	0	9	80
		292	0	6	16
		294	0	11	52
		304	0	2	40
		343	0	0	61
		360	0	1	06
		361	0	11	58
		362	0	0	23
		363	0	7	74
		369	0	7	02
		370	0	4	73
		372	0	4	33
		373	0	0	20
		374	0	7	94
		375	0	2	88
		376	0	4	46
		377	0	3	06
		378	0	4	08
		379	0	0	21
		460	0	4	79
		510	0	6	21
		511	0	8	35
		512	0	0	23
		1024	0	5	72
		1025	0	9	15
		1026	0	7	24
		1065	0	8	35
		1067	0	2	41
		1068	0	5	32
		1076	0	12	29
		1077	0	4	54
		1078	0	8	41
		1080	0	7	11
		1087	0	1	35
		1088	0	5	16
		1089	0	1	00

1	2	3	4	5	6
		1092	0	3	48
		1093	0	3	95
		1136	0	6	77
		1137	0	10	69
		1140	0	3	34
		1141	0	2	32
		1142	0	2	60
		1143	0	5	44
		1144	0	2	83
		1179	0	0	28
		1180	0	0	37
		1189	0	1	72
		1190	0	0	20
		1191	0	0	20
		1192	0	1	73
		1193	0	1	81
		1194	0	0	20
		1195	0	3	80
		1196	0	0	20
		1228	0	0	93
		1236	0	6	59
		1277	0	3	53
		1422	0	0	20
Iswardaha Jalpai	53	1	0	1	08
		3	0	1	08
		15	0	15	87
		16	0	0	32
		17	0	12	53
		62	0	13	32
		66	0	12	34
		67	0	0	47
		68	0	0	20
		69	0	16	67
		70	0	1	81
		71	0	3	67

1	2	3	4	5	6
		83	0	15	87
		88	0	6	60
		89	0	12	17
		93	0	14	57
		94	0	5	43
		95	0	5	62
		96	0	3	95
		97	0	4	21
		98	0	2	65
		99	0	8	49
		100	0	1	39
		101	0	2	32
		113	0	0	23
		114	0	0	20
		115	0	2	15
		116	0	3	67
		137	0	1	84
		151	0	11	04
		154	0	12	39
		155	0	7	30
		156	0	2	14
		157	0	6	29
		159	0	2	97
		160	0	8	10
		161	0	3	95
		163	0	6	64
		194	0	5	48
		195	0	1	95
		196	0	1	95
		197	0	1	84
		198	0	1	21
		199	0	1	73
		200	0	4	93
		201	0	0	26
		202	0	0	20
		203	0	4	73

1	2	3	4	5	6
		204	0	5	66
		205	0	0	70
		283	0	0	74
		293	0	11	82
		1407	0	1	90
Kastha Khali	51	2041	0	1	54
		2045	0	0	20
Anandapur	52	467	0	2	53
		539	0	8	21
		540	0	5	75
		541	0	9	89
		553	0	1	11
		554	0	0	65
		555	0	2	00
		583	0	1	56
		584	0	3	94
		585	0	4	04
		586	0	9	05
		587	0	0	20
		589	0	4	60
		591	0	9	93
		592	0	5	85
		600	0	1	91
		601	0	24	43
		625	0	4	50
		626	0	5	46
		627	0	7	41
		628	0	5	27
		663	0	1	08
		668	0	4	20
		669	0	1	20
		672	0	2	34
		673	0	5	01

1	2	3	4	5	6
		677	0	7	98
		678	0	2	69
		682	0	7	38
		684	0	3	11
		698	0	0	42
		699	0	0	37
		700	0	0	70
		834	0	1	53
		835	0	3	54
		836	0	0	20
		837	0	0	79
		838	0	1	81
		839	0	0	20
		840	0	0	70
		841	0	4	87
		842	0	3	80
		844	0	1	61
		845	0	0	20
		926	0	4	51
		927	0	3	98
		928	0	0	51
		931	0	0	79
		932	0	1	95
		933	0	4	08
		934	0	2	60
		935	0	6	00
		936	0	0	37
		937	0	0	22
		938	0	2	92
		674	0	8	26
		676	0	0	60
		1042	0	0	20
		1043	0	0	20
		1044	0	1	48
		1051	0	5	03
		1052	0	0	28
		1100	0	0	60
		1101	0	5	75

1	2	3	4	5	6
		1102	0	1	46
		1103	0	2	09
		1104	0	5	81
		1105	0	3	59
		1106	0	2	20
		1109	0	5	57
		1114	0	3	87
		1115	0	3	99
		1117	0	7	84
		1120	0	3	71
		1154	0	6	77
		540/1209	0	6	20
		586/1167	0	2	35
		626/1173	0	1	72
		835/1177	0	1	27

[No -31015/2/2000 (S
S CHANDRA SEKHAR Under

नई दिल्ली, 29 मार्च, 2001

का. आ. 693.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अनुसूची में यथा उल्लिखित तारीख की अधिसूचना सं. का.आ. द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जन का अधिकार प्राप्त किया था ;

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सभी बिल्लिंगों से मुक्त, उक्त भूमि में उपयोग का अधिकार पेट्रोनेट वाडीनार कांडला लिमिटेड में निहित किया था ;

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है कि पेट्रोलियम उत्पादों के परिवहन के प्रयोजन के लिए गुजरात राज्य में वाडीनार से कांडला तक उक्त भूमियों में पाइपलाइन बिछाई जा चुकी है अतः इन भूमियों में प्रचालन की समाप्ति की जाए जिसका संक्षिप्त विवरण इस अधिसूचना की संलग्न अनुसूची में विनिर्दिष्ट है ;

अतः अब, केन्द्रीय सरकार पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम 1963 के नियम 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "प्रचालन की समाप्ति" की तारीख के रूप में उक्त अनुसूची के स्तम्भ 7 में उल्लिखित तारीखों की घोषणा करती है।

अनुसूची

का.आ. सं. व तारीख	भारत के राजपत्र में प्रकाशन की तारीख	गावँ का नाम	तहसील	जिला	राज्य	प्रचालन की समाप्ति की तारीख
1	2	3	4	5	6	7
72 06.01.1999	09.01.1999	भदरेश्वर	मुन्द्रा	कच्छ	गुजरात	08.12.2000
3115 28.10.1999	30.10.1999	भदरेश्वर	मुन्द्रा	कच्छ	गुजरात	08.12.2000
706 22.03.2000	25.03.2000	भदरेश्वर	मुन्द्रा	कच्छ	गुजरात	08.12.2000
2332 19.10.2000	28.10.2000	भदरेश्वर	मुन्द्रा	कच्छ	गुजरात	08.12.2000
72 06.01.1999	09.01.1999	संघड	अंजार	कच्छ	गुजरात	08.12.2000
72 06.01.1999	09.01.1999	नगावलाडीआ	अंजार	कच्छ	गुजरात	08.12.2000
705 22.03.2000	25.03.2000	नगावलाडीआ	अंजार	कच्छ	गुजरात	08.12.2000
2332 19.10.2000	28.10.2000	नगावलाडीआ	अंजार	कच्छ	गुजरात	08.12.2000
72 06.01.1999	09.01.1999	वीरा	अंजार	कच्छ	गुजरात	08.12.2000
2332 19.10.2000	28.10.2000	वीरा	अंजार	कच्छ	गुजरात	08.12.2000

New Delhi, the 29th March, 2001

S. O. 693.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. and date as mentioned in the schedule below issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government acquired the right of user in the lands specified in the schedule appended to that notification;

And whereas in the exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government vested the right of user in the said land, free from all encumbrances, in the Petronet Vadinar-Kandla Limited;

And whereas the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transport of petroleum products from Vadinar to Kandla in the State of Gujarat has been laid in the said lands, so the operation may be terminated in respect of the lands, the description of which in brief is specified in the Schedule annexed to this notification ;

Now, therefore, in exercise of the powers conferred by rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963 the Central Government hereby declares that the dates mentioned in column 7 of the Schedule as the date of termination of operation.

"Schedule annexed"

Schedule

S.O. NO. & DATE	DATE OF PUBLICATION IN GAZETTE OF INDIA	NAME OF THE VILLAGE	TEHSIL	DISTRICT	STATE	DATE OF TERMINATION OF OPERATION
1	2	3	4	5	6	7
72 06.01.1999	09.01.1999	BHADRESHWAR	MUNDRA	KACHCHH	GUJARAT	08.12.2000
3115 28.10.1999	30.10.1999	BHADRESHWAR	MUNDRA	KACHCHH	GUJARAT	08.12.2000
706 22.03.2000	25.03.2000	BHADRESHWAR	MUNDRA	KACHCHH	GUJARAT	08.12.2000
2332 19.10.2000	28.10.2000	BHADRESHWAR	MUNDRA	KACHCHH	GUJARAT	08.12.2000
72 06.01.1999	09.01.1999	SANGHAD	ANJAR	KACHCHH	GUJARAT	08.12.2000
72 06.01.1999	09.01.1999	NAGAVADIA	ANJAR	KACHCHH	GUJARAT	08.12.2000
705 22.03.2000	25.03.2000	NAGAVADIA	ANJAR	KACHCHH	GUJARAT	08.12.2000
2332 19.10.2000	28.10.2000	NAGAVADIA	ANJAR	KACHCHH	GUJARAT	08.12.2000
72 06.01.1999	09.01.1999	VIRA	ANJAR	KACHCHH	GUJARAT	08.12.2000
2332 19.10.2000	28.10.2000	VIRA	ANJAR	KACHCHH	GUJARAT	08.12.2000

[No -25011/2001 OR-I]
S. CHANDRA SIKHAR Under Secy

श्रम मंत्रालय

नई दिल्ली, 5 मार्च, 2001

का. आ. 694.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में, नेशनल हैंडक्राफ्ट्स हैंडलूम म्यूजियम के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-3-2001 को प्राप्त हुआ था।

[सं. एल-42011/27/91-डी. 2 (बी)]

कुलदीप राय वर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 5th March, 2001

S.O. 694.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/1 about Court, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. National Handicrafts Handloom Museum and their workman, which was received by the Central Government on 5-3-2001.

[No. L-42011/27/91 D-2(B)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE.

BEFORE SHRI K. S. SRIVASTAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 1/92

In the matter of dispute between :
Shri Ashok Kumar, Vijender Singh,
Man Singh and Uday Vir Singh,
Through General Secretary,
Delhi Labour Union,
Aggarwal Bhawan,
G. T. Road, Tis Hazari,
New Delhi-110054.

Versus

The Development Commissioner,
National Handicrafts and Handloom Museum,
M/o Textiles, Pragati Maidan,
New Delhi-110002.

APPEARANCES :

Shri Surender Bhardwaj for the workmen.
Shri Sunil Aggarwal for the Management.

AWARD

S/Shri Ashok Kumar, Vijender Singh, Man Singh and Uday Vir Singh were the employees of M/s. National Handicrafts Handloom Museum, Pragati Maidan, New Delhi (hereinafter referred to as Management). The services of these employees were terminated by the management w.e.f. 30-6-90. The employees had then raised an industrial dispute against their termination. Consequently the Central Government in the Ministry of Labour vide its Order No. L-42011/27/91-D-2(B) dated 18-12-91 referred the dispute to this Tribunal for adjudication on the following terms :—

"Whether the action of the management of M/s. National Handicrafts Handloom Museum, Pragati Maidan, New Delhi in terminating the services of S/Shri Ashok Kumar, Vijendra Singh, Man Singh, Uday Vir Singh is justified? If not, what relief the workman concerned are entitled to?"

2. As mentioned in the para 2 of the statement of claim following chart will show the date of the joining and the nature of job of the workmen :

S. No.	Name	Date of joining	Job
1.	Sh. Ashok Kumar	28-2-88	Safai Karamchhari
2.	Shri Vijender Singh	2-5-88	Gallery Attendant
3.	Shri Man Singh	2-5-88	Gallery Attendant
4.	Shri Uday Vir Singh	12-10-83	Safai Karamchhari

3. It is stated by the workmen that job against which they were working was regular and permanent nature and they were being treated as daily rated/casual and muster roll worker on payment of their wages on fixed rate being revised from time to time under the minimum wages Act by the Delhi Administration, Delhi.

4. The workmen have further stated that they were being discriminated for the payment of wages in the sense that their counter parts who were doing identical work were being paid their salaries in pay scale of Rs. 750—940 with usual allowances admissible under rules and they were also enjoying other service benefits like casual leave, earned leave, uniform etc. when these facilities were denied to them.

5. The workmen have further stated that they had unblemished on the following grounds. Firstly the practice of the except a few notional, fictional and artificial breaks given here and there to avoid complicity of their being permanent in the employment.

6. The workmen have challenged the legality of their termination on the following grounds. Firstly the practice of the management for employing persons on regular nature of job and treating them as casual/daily rated/muster roll workers for indefinite period of lesser remuneration than those doing identical work was an unfair labour practice as provided in Section 2(fa) read with item No. 10 of the Vth schedule of the Act. Secondly that the workmen were treated out with hostile discrimination as junior to them were retained in service when they were thrown out of job. Thirdly that their termination was violative of Sections F, G and H of the Act read with rules 76 and 77 of the I.D. (Central Rules) 1957. Neither any notice was given nor notice pay was offered and paid to them. Workmen were also not given any compensation for their retrenchment. Even the earned wages for the month of June, 1990 were not given at the time of the termination of their services.

7. The workmen have further stated that they were unemployed since the date of termination of their services i.e. 30-6-90.

8. The Management has contested the workman's case. The Management has denied about the employment of the workman as stated by them in paragraph 2 of the claim petition. Management has also denied the workman's contention that they were being discriminately treated and they have deliberately been treated as daily rated workers according to the management. Counter part of the workmen were working on different terms and conditions and were being paid as per their service conditions when the workmen were employed and retained on casual and daily rated basis as per availability of the work and thus they were not entitled for any more salary than they were given. The Management has also denied that the workmen were entitled for retrenchment compensation or notice pay in lieu of notice as stated by the workman. The services of the workmen according to the management could be terminated without assigning any reason. The Management has also denied that any unfair labour practice was being taken against the workman. As regards the publication of the seniority list management has denied that there was any necessity of publishing seniority list since workmen were daily raters and the seniority list was required to be published in the case of employees appointed on regular basis the management has also denied that the workmen were not paid their wages for the month of June, 1990. The workman's contention that they were unemployed since 30-6-90 has also been denied.

9. In the rejoinder the petitioner has reiterated his allegations made in the statement of claim.

10. The record shows that at the first instance evidence was led on behalf of both the parties. All the four workmen have filed their affidavits in support of their case but only two workmen namely Ashok Kumar and Uday Vir Singh as WW1 and WW2 respectively have examined themselves on oath as WW1 and WW2. They have proved their affidavits marked Exs. WW1/1 and WW2/1 respectively. On behalf of the Management affidavit of Shri R. K. Tewari, Dy. Director has been filed. He has examined himself as MW1 and has proved his affidavit as MW1/1. He has been cross examined by the workman.

11. It appears that after the conclusion of the evidence of the management evidence the date was fixed for the workman's evidence but the management failed to appear on the date fixed and then vide order dated 16-2-96 management was directed to proceed ex parte. Management's application for setting aside order dated 16-2-96 was also rejected, on merit on 14-7-2000 by detailed order. On 17-11-2000 when the case was fixed for arguments at the first stage only the authorised representative for the workman had appeared and his argument was heard and award was received and immediately thereafter Shri Sunil Aggarwal for the management appeared and requested to argue in the case. He was allowed to argue and his argument was also heard.

12. On behalf of the workman it is strongly contended that their termination in fact was a retrenchment within the meaning of Section 2(oo) of the Act and it was necessary that the conditions of retrenchment laid down in Section 25-F should have been complied with by the management. Neither the retrenchment compensation was paid nor any notice or notice pay was given by the management for terminating the services of the workman. In this respect it is strongly pleaded by the workmen that they had completed 240 days of continuous work within the period of one year prior to date of the termination and the provisions of Section 25-F of the Act were squarely applicable in their case.

13. After having considered the entire facts and circumstances of the case and submissions made on behalf of the parties I find that the workman's contentions aforesaid carries great force and the dispute of their termination in my view can be decided on the same ground only.

14. It is beyond doubt that for the application of Section 25-F it is necessary that the employee should show his continuous service for one year under the employer. The definition of continuous service is given in Section 25-B of the Act and it is quoted below:—

"25-B. Definition of continuous service—For the purposes of this chapter,—

- (1) a workman shall be said to be in continuous service for a period if he is, for that period in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, or a lock out or a cessation of work which is not due to any fault on the part of the workman;
- (2) where a workman is not in continuous service within the meaning of clause (1) for a period of one year or six months, he shall be deemed to be in continuous service under an employer—
 - (a) for a period of one year, if the workman, during a period of 12 calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than—
 - (i) one hundred and ninety days in the case of a workman employed below ground in a mine; and
 - (ii) two hundred and forty days, in any other case."

This latter provisions given in sub section 2(a)(ii) an employee who completed 240 days of work within 12 calendar months from the date preceding the date of termination would be deemed to be in continuous service.

15. This fact that the workman had completed 240 days of the continuous service I find has well been stated in the affidavits of the workman namely Ashok Kumar and Uday Vir Singh. Apart from it this fact I find has well been admitted by Shri R. K. Tewari, Dy. Director examined on behalf of the management as MW1 in his cross-examination. It has specifically been stated by Shri R. K. Tewari that as far as I remember the workman has been working continuously from the date of his employment till the date of his termination this statement of Shri R. K. Tewari I find clinches the issue in favour of the workman. However, the workman namely Ashok Kumar and Uday Vir Singh who have also stated on oath in support of their affidavit could not be cross-examined by the management. In paragraph 12 of the affidavit of both of them this fact of 240 days of continuous working has specifically been stated. In view of the fact I do not find any reason to disbelieve the workman. The fact that workmen were daily rated and casual employees will not be a circumstance to deny the benefit of Section 25-F. In the case of L. Robert D'Souza Vs. Executive Engineer, Southern Railway and another 1982 SCC (K&S) page 124 it is clearly held that even a casual or seasonal workman who has rendered continuous service of one year or more cannot be retrenched without complying with the rules of Section 25-F.

16. The Management has admitted that workmen were neither paid retrenchment compensation nor were given notice according to them notice pay was also not given. Thus there is total non-compliance of the provisions of Section 25-F and the termination/retrenchment of the workman I find cannot be held as legal and justified. Under such circumstances as held by the Hon'ble Supreme Court of India in case of Mohan Lal Vs. Management of Bharat Electronics Ltd. 1981 SC cases (L&S) 478 the termination of the workman could be void ab initio and as regards the reinstatement of the workman in service the termination of the workmen have been found as void ab initio and thus on the basis of authority Mohan Lal Vs. Management of Bharat Electronics Ltd. supra order of reinstatement I find is not necessary to be passed. The workmen under the circumstances shall be deemed to be in continuous service from the date of their termination.

17. As regards the back wages to the workmen it is clearly asserted by the workman that they remained unemployed since the date of termination of their services. This fact though has been denied by the management in written statement but no material has been given by the management to show that the workmen were gainfully employed after the termination. Undoubtedly the onus of showing gainful employment of the workmen was on the management but the Management has failed to show it. In view of the fact in my view the workmen whose termination have been held as void ab initio are entitled to get back wages from the date of the termination till the resumption of the duties.

18. As regards the quantum of the wages which could be paid to the workmen I find that it is specific case of the workmen that their counter parts who were performing identical work were given regular pay scale and other service benefits. The Management has no doubt denied this fact in written statement and has asserted that the other employees were working on different terms and were paid according to their service conditions. Service conditions I find is not a complete denial of the workmen's case aforesaid. The fact which in my view requires for consideration in this respect is whether the identical work was being performed by the counter parts of the workmen because it is recognised principle that the workers may get equal pay for equal work. In the present case the management has not denied in specific terms that the identical job was not being performed by the counter parts of the workmen. In view of the fact I do not find reason to reject the workmen case of the payment of wages to them equal to the wages paid to their counter parts performing the identical job. I find that the workmen are entitled to get the similar pay scale and other service benefits equal to their counter parts performing identical job. Despite the fact that they were treated as daily rated and casual employees.

19. In view of the discussions made above I find and hold that the termination of the service of the workmen was void ab initio and inoperative and it is declared that they should continue to be in service with all consequential benefits such

as back wages and other benefits as found above. The action of the Management in terminating the services of the workmen is neither found just nor proper. The terms of reference is answered accordingly and the award is also given in the like manner.

February 28, 2001.

K. S. SRIVASTAV, Presiding Officer

नई दिल्ली, 7 मार्च, 2001

का. आ. 695—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधक के सबद्ध मित्रों के और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पचाद की प्रकाशित करनी है, जो केन्द्रीय सरकार का 5-3-2001 का प्राप्त हुआ था।

[स. एन-12011/97/2000-आई आर (बी-II)]

सी. गंगधरान, अधीन सचिव

New Delhi, the 7th March, 2001

S.O. 695.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 5-3-2001.

[No. L 12011 '97/2000-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Tuesday the 20th February, 2001

PRESENT:

K. Karthikeyan, Presiding Officer
Industrial Dispute No. 68/2000

(In the matter of the dispute for adjudication under section 10(1)(d) and sub-section 2(A) of the Industrial Dispute Act, 1947 between the Claimant and the Management of the Deputy General Manager, Syndicate Bank, Chennai).

BETWEEN

The President,
Syndicate Bank Employees Union,
Chennai.

... Claimant/I Party

AND

The Deputy General Manager,
Syndicate Bank,
Chennai.

... Management/II Party

APPEARANCE:

For the Workman: M/s. P. Manumeghalai, R. G. mathi
Advocates.

For the Management: M/s. T. S. Gopalan & Co,
Advocates.

REFERENCE:

Order No. L-12011/97/2000-IR(B II) dated 15-9-2000
Government of India, Ministry of Labour New
Delhi.

This dispute on coming up before me for final hearing on 15-1-2001 upon perusing the reference, Claim Statement,

Counter Statement and other material papers on record, documentary evidence let in on either side and upon hearing the arguments of the counsel for workman M/s. P. Manumekalai and the counsel for the Management M/s. T. S. Gopalan & Co and this dispute having stood over till this date for consideration, this Tribunal pass the following:—

AWARD

This reference by the Central Government in exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act 1947 in respect of dispute between Sri D. Soundararajan, employee and the Deputy General Manager, Zonal Office, Syndicate Bank, Chennai, Management, mentioned as Schedule appended to the order of reference.

The Schedule reads as follows:—

"Whether the imposition of punishment of compulsory retirement of Sri D. Soundararajan, Special Assistant from the services of the Syndicate Bank vide order dated 24-7-99 is legal and justified? If not, what relief is the workman entitled to?"

On receipt of this reference, this industrial dispute has been taken on file of this Tribunal on 26-9-2000 as Industrial Dispute No. 68/2000. On receipt of the notice from this Tribunal, both the parties appeared with their respective counsel and filed their respective Claim Statement and Counter Statement.

2. The averments in the Claim Statement of the Claimant/I Party are briefly as follows:—

The General Secretary, Syndicate Bank Employees Union, Chennai, the I Party Claimant has raised this industrial dispute espousing the cause of the workman Sri D. Soundararajan and has filed the Claim Statement. The I Party Claimant (hereinafter referred to as Petitioner) submits that the concerned workman Sri D. Soundararajan was initially appointed as stenographer at Salem Shevapet branch and thereafter worked in Piplicane, Nungambakkam and Madras Main Branch as Stenographer and subsequently was posted as Special Assistant at Mint Branch in May, 1994, as per the settlement reached between the Management and the recognised union. Sri D. Soundararajan had worked for four years in the said post till the date of charge sheet to the utmost satisfaction of the seniors. While he was working as Special Assistant in Mint Street, he was issued with a charge sheet dated 15-7-98 and corrigendum dated 15-10-98 for the alleged violation of the clause 19.5(a) of Bipartite Settlement. The concerned employee Sri D. Soundararajan was called upon to submit his written statement of defence, on receipt of charge sheet dated 15-7-98 and week's time was given to submit his reply to the Corrigendum dated 15-10-98 issued to him. The chargesheeted employee submitted his reply to the charge sheet on 10-11-98 denying the charge. The Disciplinary Authority not being satisfied with the written explanation of Sri D. Soundararajan proceeded with the departmental enquiry by appointing the Enquiry Officer to enquire into the charges levelled against him. During the enquiry, the Management II Party (hereinafter referred to as Respondent) filed 145 exhibits and the Petitioner Union representing the chargesheeted employee has filed 14 exhibits and examined the chargesheeted employee as DW1. The Respondent produced only one witness, who had merely acted as an investigating officer and in no way witnessed or was present at the branch when the operations were alleged to have been carried out in the account. The Enquiry Officer by his report dated 11-5-99 arrived at a perverse conclusion that the chargesheeted employee is guilty of all the charges except the charge stated as serial number 8 of the charge sheet overlooking all the defence explanations and the documents marked by the charge sheeted employee. The copy of the Enquiry Officer's report was sent to the chargesheeted employee by the department by letter dated 18-5-99 calling upon him to give his written submission to the Enquiry Officer's report proposed to impose punishment of compulsory retirement from service and called upon the chargesheeted employee to appear for personal hearing on 10-7-99 by a letter dated 2-7-99 and further as per the request of the chargesheeted employee it was postponed to 13-07-99. The Disciplinary Authority not satisfied with the explanation given by the

defence representative for the employee that the chargesheeted employee was not doing any trade or business outside the scope of his employment and further submitted that the proposed punishment to be imposed on the chargesheeted employee being harsh and disproportionate, proceeded by imposing with proposed punishment of compulsory retirement by his order dated 24-7-99 and 45 days time was given to the chargesheeted employee to prefer an appeal against that order to the Appellate Authority at Manipal, Karnataka. On 20-8-99, the chargesheeted employee submitted his reply to the Appellate Authority against the order passed by the Disciplinary Authority on 24-7-99. The Appellate Authority after giving the chargesheeted employee personal hearing on 25-10-99 in addition to taking into account his written submissions dated 25-10-99, dismissed the appeal on 24-11-99 by mechanically confirming the order of the Disciplinary Authority without applying his mind to the vital issue involved. The Petitioner raised industrial dispute on behalf of the chargesheeted employee on 24-12-99, which has resulted in the present reference to this Tribunal for adjudication. The punishment of compulsory retirement from the Bank is totally unjustified and liable to be set aside. The finding in the enquiry report submitted by the Enquiry Officer is totally biased as being one sided, perverse and against the principles of natural justice. The Enquiry Officer merely relying upon the documents produced by the Management side without taking any further effort in asking the Management to substantiate the charges levelled against the concerned employee. The enquiry proceedings, though on the face of it seems to be properly held, suffers from serious irregularity due to the non-production of direct witness or any persons from the Mint Branch to witness transaction at the relevant point of time. The Enquiry Officer merely carried away by the statement of MW1, who acted as an investigating officer. The evidence of MW1 at no stretch of imagination can be considered as sufficient enough proof to the charges levelled against the employee. The Enquiry Officer fails to take into account the real issue involved. He fails to consider as to whether any violation of Clause 19.5(a) of the Bipartite Settlement entered into between the Management and the employee and if at all there is a violation, then to further enquire as to whether the Management has sufficiently proved its stand as to what was nature of the trade and business the chargesheeted employee was carrying on. Instead of enquiring into it, the Enquiry Officer draws inference on mere surmises and allegations on MW1 is without in any way substantiating his stand. The Enquiry Officer fails to take into account that MW1 in his cross-examination has submitted that there was no violation of bank rules at any point of time nor there is any restriction in the issuance of number of cheques by a Bank staff. The Enquiry Officer fails to see that issuance of cheques for higher amounts than the income of the staff member, cannot lead to the conclusion that the employee was engaged himself in trade or business. The Enquiry Officer fails to see that the Management had utterly failed to discharge the burden of proving the nature of trade or business of the chargesheeted employee, but he merely drew a conclusion on the basis of voluminous documents produced by the Management side. No effort was taken on the part of Management to substantiate and corroborate the documents produced before the Enquiry Officer. The Enquiry Officer fails to consider the fact that the local branch authority did not raise any objection at any point of time to prevail upon the account holder to stop such transaction. Only after the lapse of merely one year, the Management has resorted to initiate disciplinary action by issuance of chargesheet against the employee. On the basis of the names of certain financial companies and carrying out the operations in the joint account in the name of his wife and father and has drawn a conclusion that the employee himself was indulging in conducting the trade and business and treated as a gross misconduct under Clause 19.5(a) of the Bipartite Settlement. The Enquiry Officer ought to have directed the Management to prove the charges by producing documents as it is. The Enquiry Officer failed to consider the explanation given by the chargesheeted employee of those transactions and documents produced on his behalf, but he gave perverse report on the basis of documents produced by the Management side. The Enquiry Officer analysed the case with a biased and pre-determined mind holds that it is immaterial to interfere as to what was the nature of trade and business the employee was engaged into, vitiates his report and the further action of the Disciplinary Authority in imposition of punishment of compulsory retirement on the chargesheeted employee

is highly illegal, unjustified and arbitrary. The transactions are not of commercial nature. So, the concerned employee continued the brisk operations with the express knowledge of the local Manager. The employee has brought to the notice of the local Manager about the large credits either cash or clearing on various occasions like drawing heavy cash or passing of cheques against clearing credits or discount of local and outstation cheques. The then Manager of the concerned department was well aware of the financial problems faced by the employee. Various documents marked as exhibits were made available only on later enquiry. For want of certain material details, the employee could not submit his detailed reply with documentary proof. Only after the enquiry, he had sufficient time to go through the voluminous documents and was able to give a clear picture of entire transaction. The Disciplinary Authority overlooked all the submissions of the chargesheeted employee while imposing the punishment. The employee has not acted against the interest of the bank nor his actions caused any loss to the bank. Therefore, it is prayed that this Hon'ble Court may be pleased to hold that punishment of compulsory retirement from service imposed on the employee Sri D. Soundararajan is illegal, unjustified and arbitrary and consequently direct the Respondent to reinstate the employee on service with effect from 3-8-99 with all back wages and consequential benefit with continuity of service.

3. The averments in the Counter Statement filed by the II Party/Management are briefly as follows.—

The II Party/Management (hereinafter referred to as Respondent) states that Syndicate Bank is a nationalised bank. The wages and other service conditions of the workmen are covered by awards and settlements made under the provisions of the Industrial Disputes Act. The employees of the bank are required to devote their whole undivided attention to the work of the bank. While in employment the employees should not take up any other employment or engage in trading or business. The employees who have an account with the bank are extended certain facilities which are not normally available to the other account holders. For instance, any cheque presented by an employee account holder is discounted at once without subject to clearing and his account will be credited. Similarly, in the matter of purchase of demand drafts, employees can purchase demand drafts for a value not exceeding the monthly salary without paying any commission charges. The employees can utilise these facilities only for their personal needs and should not avail it for the benefit of any third parties. As the employees had to deal with the cash of the account holders, they should not indulge themselves in excessive borrowings. The excessive indebtedness is itself a misconduct and they should not use their position as an employee to extend any advantage or benefit to third parties. The concerned workman was working as a Special Assistant in the Mint Street Branch from 27-5-94. On 18-7-94, he opened with the branch a joint S. B. account No. 16000 with his wife Mrs. Vijayakumari and his father Mr. V. Desikan. Sometime in the middle of 1998, there was an anonymous complaint that the concerned workman was doing real estate business and that he was having a few binami companies. When an investigation was made, it came to light that during 1996 and 1997 there were brisk operations in S. B. Account No. 16000 with the turnover of Rs. 20.84 lakhs and Rs. 14.35 lakhs respectively, that there were frequent cash remittance involving substantial amounts and number of clearing instruments involving huge amounts were credited to the account, that during the period between 31-12-95 and 3-9-97, he had issued 65 cheques favouring individuals, real estate developers, chit funds, investments and finance companies, that out of these cheques 17 numbers of cheques for substantial amounts were issued favouring one M/s. Aditya Housing Plot Developers P. Ltd. that according to the concerned workman these cheques represented the monthly instalments collected from the prospective buyers of the plots whom he had enrolled as members. that he got discounted 67 local cheques issued by parties during period between 15-9-94 and 28-12-96 besides 22 other cheques issued by third parties favouring himself and that he purchased three Pay Orders favouring Gujarat Guardian Ltd. for an amount aggregating Rs. 2,79,445. All these transactions pointed out that he was carrying on some business and he was using his account with the bank for the promotion and operation of his business. On 15-7-98 a chargesheet was issued to the concerned workman referring

to the above transactions and he was charged with misconduct of "engaging in trading/business outside the scope of his duties". On 15-10-98, a corrigendum was issued to the concerned workman adding a few more transactions indulged in by him to show that he was carrying on business. On 10-11-98, the concerned workman gave a reply denying the charges. The concerned workman was asked to appear for an enquiry. In the enquiry the Deputy Chief Manager—Vigilance Unit Mr. S. Narayanan gave evidence placing documentary evidence in support of the charges. The concerned workman examined himself and placed 14 documents on defence exhibits. The Enquiry Officer in his report dated 11-5-99 held that all the charges against the workman were proved except the issue of cheque to M/s. Chordia Syndicate for Rs. 7,000 which was credited to the party's account No. 2012 in the Mint Street Branch. On 18-5-99, a copy of the Enquiry Officer's report was furnished to the concerned workman and he was asked to make his submissions on the report. Despite several opportunities given to him, the concerned workman did not make his submission against the report of the Enquiry Officer. By a communication dated 3-7-99, the concerned workman was informed that as he has not submitted his submissions on the report of the Enquiry Officer, it was decided to proceed further in the matter, that the disciplinary authority concurred with the findings of the Enquiry Officer, that it was proposed to impose a punishment of compulsory retirement from service and that he should appear for a personal hearing on 10-7-99. As the concerned workman did not report for duty, the notice dated 3-7-99 could not be served. It was served on him only on 10-7-99. The personal hearing was adjourned from 10-7-99 to 13-7-99. On 9-7-99, the Disciplinary Authority received letter dated 2-7-99 from the concerned workman making his submissions against the finding that the concerned workman appeared for the final hearing on 13-7-99 and made his representation. After considering his representation on 24-7-99 orders were passed holding that the concerned workman was guilty of misconduct of engaging in trading/business outside the scope of duties and he was compulsorily retired from the bank with immediate effect. Against the said order, the concerned workman preferred an appeal. After personal hearing, the Appellate Authority passed order on 24-9-99 dismissing the appeal. The termination of the concerned workman is fully justified and valid in law and the same should not be interfered with, for all or any of the reasons urged in the Claim Statement. The charges raised against the concerned workman were based on records and therefore, they were duly proved through the Deputy Chief Manager, Vigilance Officer. Hence, it was not necessary to examine any employee from Mint Street branch to prove the charges. The Enquiry Officer has analysed the evidence in detail and has given his reasons for holding the charges to be proved against the concerned workman. As the charges were based on documents, the Enquiry Officer was only obliged to consider the documents and draw his conclusion. The persons with whom the concerned workman was transacting business, being obliged to him, would not come and give evidence against him in the enquiry. The Enquiry Officer considered the explanation given by the Petitioner and found that the explanation was not satisfactory and hence he rejected the same and came to the conclusion that the operation of the account was to do business. It cannot be said that the concerned workman was not acting against the interest of the Bank. He was doing business and naturally it had caused distraction to the Bank's work. The concerned workman was carrying on business while in employment, the same cannot be countenanced by any standard of discipline and therefore, punishment cannot be characterised as harsh or excessive. Hence, this Hon'ble Tribunal may be pleased to pass an award upholding the compulsory retirement of the concerned workman by rejecting the claim of the Petitioner.

4. When the matter was taken up for enquiry, the learned Counsel appearing on either side consented for marking the xerox copies of documents produced by the Petitioner as Ex. W1 to W15. Apart from these documents, no oral or documentary evidence had let in on either side. The arguments advanced by the learned counsel of either side were heard.

5. The points for my consideration are—

"1. Whether the findings of the Enquiry Officer in his report is totally biased, perverse and against the principles of natural justice?

2. Whether the imposition of punishment of compulsory retirement of Sri D. Soundararajan, Special Assistant from the services of the Syndicate Bank vide order dated 24-07-99 is legal and justified? If not, what relief is the workman entitled to?"

The Petitioner Union is espousing the cause of Sri D. Soundararajan, who was admittedly working as Special Assistant at Mint Branch of the Respondent Syndicate Bank at Chennai. The Deputy General Manager/Disciplinary Authority had issued the charge sheet dated 15-7-98 against the concerned employee alleging that while functioning as Special Assistant at Mint Street Branch, Chennai; he was engaging the trade or business outside the scope of his employment with the bank and entered into financial dealings with the customers of the bank, which is a gross misconduct as per clause 19.5(a) of the Bipartite Settlement. A xerox copy of the chargesheet is Ex. W1. Subsequently, a Corrigendum to that charge sheet dated 15-10-98 was issued to the concerned employee by the same Disciplinary Authority. A xerox copy of the same and the annexure to the chargesheet are appended to Ex. W1. For this chargesheet, the concerned employee had given his written explanation and the xerox copy of the same is Ex. W2. In continuation of his reply to the chargesheet, he submitted another letter dated 21-1-99 with copies of documents as enclosures. A xerox copy of the same is Ex. W3. Subsequent to that one Mr. W.S. Jayaprakash, the Enquiry Officer has enquired into the charges alleged against the concerned employee. In that enquiry, one Sri K. S. Suryaprakash, Deputy Chief Manager (Personnel), Chennai was the Management representative and the chargesheeted employee Sri D. Soundararajan was represented by Sri K. Umesh Nayak, the General Secretary of Syndicate Bank Employees Union as defence representative. The xerox copies of the enquiry proceedings dated 21-1-99 and 2-2-99 are Ex. W4 and W5 respectively. Before the Enquiry Officer, the chargesheeted employee submitted a letter dated 2-2-99 enclosing 13 documents in support of his defence. A xerox copy of that letter is Ex. W6. During that enquiry, on behalf of the Management, the Deputy Chief Manager (Vigilance) of the Syndicate Bank one Sri S. Narayanan was examined as a Management witness and 145 documents were filed as Management exhibits. The delinquent employee Sri D. Soundararajan himself was examined as a defence witness and on his side 14 documents were filed in support of the stand of denial of charges. On conclusion of the enquiry, the Enquiry Officer after analysing the oral and documentary evidence let in on either side of the Management and also on the side of the delinquent employee, has given a report dated 11-5-99 with his findings that the charges levelled against the chargesheeted employee Sri D. Soundararajan are proved except the transaction covered under serial number 8 of the chargesheet. A xerox copy of the Enquiry Officer's report is Ex. W7. A copy of the Enquiry Officer's report was sent to the chargesheeted employee by the department with a letter dated 18-5-99 calling upon him to give his written submission to the Enquiry Officer's report. Accordingly, the concerned employee submitted his written statement dated 2-7-99. A xerox copy of the same is Ex. W8. The Disciplinary Authority/Deputy General Manager of the Syndicate Bank by his letter dated 3-7-99 to the chargesheeted employee Sri D. Soundararajan informed that he is convinced that the alleged misconduct committed by the employee was proved in the enquiry and they are grave in nature warranting deterrent punishment and considering the seriousness and gravity of misconduct, he proposed to impose punishment of compulsory retirement from the service of the bank vide Clause No. 19.5(a) of Bipartite Settlement and that he will be given a personal hearing regarding the said punishment on 10-7-99. A xerox copy of that letter of Disciplinary Authority is Ex. W9. The Disciplinary Authority had a personal hearing of the chargesheeted employee on 13-7-99. After considering the personal hearing, the Enquiry Officer's report and all other materials, the Disciplinary Authority in his proceedings dated 24-7-99 has passed an order that the concerned employee has committed a gross misconduct of engaging in trade/business outside the scope of his duties vide Clause 19.5(a) of Bipartite Settlement and he does not find any extenuating circumstances for reduction of the proposed punishment and imposing that proposed punishment would meet the ends of justice and accordingly he imposed punishment against the concerned employee Sri D. Soundararajan by compulsorily retiring him from services of the Bank with immediate effect. A

xerox copy of that proceedings dated 24-7-99 is Ex. W10. That order of the Disciplinary Authority was forwarded to the concerned employee Sri D. Soundararajan with a covering letter dated 3-8-99. A xerox copy of that covering letter is Ex. W11. Then the concerned employee preferred an appeal to the Appellate Authority. A xerox copy of the appeal is Ex. W12. The Appellate Authority also had a personal hearing of the employee Sri D. Soundararajan on 25-10-99. A copy of the minutes of personal hearing before the Appellate Authority is Ex. W13. Apart from that the employee had submitted the written submission also to the Appellate Authority dated 25-10-99. A xerox copy of the same is Ex. W14. The Appellate Authority after considering the appeal has concurred with the Disciplinary Authority's decision for imposing of the punishment against the employee and accordingly dismissed the appeal by his order dated 24-11-99 and the same was forwarded to the concerned employee with a covering letter of the same date. A xerox copy of the same is Ex. W15.

6. It is the contention of the Petitioner that the Appellate Authority had mechanically confirmed the order of the Disciplinary Authority without applying his mind and the punishment of the compulsory retirement from the bank is totally unjustified and liable to be set aside, since the findings of the Enquiry Officer is totally biased as being one sided, perverse and against the principles of natural justice.

7. It is not the case of concerned employee or the Petitioner Union that the enquiry conducted by the Enquiry Officer was not fair and proper and while conducting the enquiry, he has not followed the principles of natural justice. It is also not his contention that he was not given sufficient opportunity to put forth his defence. On the other hand, the proceedings of the Enquiry Officer clearly show that proper, fair and sufficient opportunity was given to the chargesheeted employee during the enquiry and through his defence representative, he has taken part in the enquiry proceedings and he cross-examined the Management witness also at length. Apart from that, he himself has examined as a defence witness and has marked documents as defence exhibits in support of his defence. Under such circumstances, it can not be said that the Enquiry Officer has acted as one sided without giving sufficient opportunity to the chargesheeted employee to put forth his defence properly. From this it is seen that the Enquiry Officer while conducting the enquiry for the alleged charges against the employee mentioned in the charge sheet has not violated the principles of natural justice.

8. The next contention of the Petitioner that the Enquiry Officer was totally biased and perverse in giving his findings in his report. A perusal of the entire records exhibited on either side and the entire enquiry proceedings clearly show that the contention of the Petitioner in the Claim Statement that the Enquiry Officer is totally biased as being one sided, perverse and against the principles of natural justice are all incorrect. One witness has been examined on the side of the Management during the enquiry. He is the Deputy Chief Manager (Vigilance Officer). He has been instructed by the HO (Vigilance Cell) to investigate the case. Accordingly he investigated by perusing the relevant documents and those documents are 145 in numbers marked as Management Ex. 1 to 145. It is admitted that the concerned employee Sri D. Soundararajan worked as Special Assistant at Mint Street Branch of the Respondent bank had opened a joint SB account bearing No. 16000 on 18-7-94 and his wife Smt. R. Vijayakumari as a joint account holder. It is admitted that in October, 1994, father of the employee Sri V. Desikan was taken as another joint account holder of that SB account. As per that account particulars, during the years 1994, 1995, 1996 and 1997 huge amounts of Rs. 1.83 lacs, Rs. 6.93 lacs, Rs. 20.84 lacs and Rs. 14.35 lacs respectively were transacted in that S. B. Account. It also revealed that a number of cheques were issued in favour of various third parties while transaction in that SB account in those four years. Those amounts have also remitted in that SB account during 1996 and 1997, as it is revealed from the Management Ex. 2 to 36. Further, it is revealed from Ex. 37 to 56 that clearing cheques were deposited for substantial amounts in that SB account. Further in the Ex. 57 to 121, it is revealed that the concerned employee issued cheques through that SB account to various individuals, Housing Plot Promoters, investments and other funds for substantial amounts. In Ex. 143 details about the cheques issued are available. According to them the employee had issued 17 cheques amounting

to Rs. 1,27,000 to M/s. Aditya Housing Plots Developers P. Ltd. and M/s. Aditya Investments, which go to show that the concerned employee had engaged himself in promissory activities. Thus, as it is seen from the Management Ex. 57 to 121, 65 cheques were issued in that regard. In addition to that the concerned employee has purchased the Ray Orders in favour of M/s. Gujarat Guardian Ltd., Birla Motor Industries to the tune of Rs. 1,30,000, Rs. 60,000 and Rs. 69,195 on 19-7-96, 26-8-96 and 3-11-96 respectively and all these things were transacted in that SB account No. 16000, as it is seen from the Management Exhibits 125 to 128. Further on the side of the Management, documents have been used as Exhibits as ledger sheets pertaining to LCDDs and GCDDs transactions and they were drawn on various banks and 22 instruments on GCDDs are the outstation instruments drawn on various banks. Like that amounts were transferred from the other savings bank accounts and OD accounts for the customers of the bank to the SB Account No. 16000 of the concerned employee during the months of April and November, 1996. Management Exhibit 142 reveals that on 4-4-97, a cheque was issued in favour of Smt. Komala Ratnam for Rs. 24,500 through the SB account No. 16000 of the concerned employee, which was returned subsequently as insufficient funds. This goes to show that the concerned employee had financial dealings with Smt. Komala Ratnam and there are documents as Management Ex. 138 to 140 to show demand drafts were purchased by the concerned employee and they were not for his personal benefit which in turn show that the bank is deprived of the genuine commission of income in those transactions. Further, from the Management Ex. 135 to 137, it is seen that in his SB account No. 16000, a sum of Rs. 30,000 on 26-4-96, Rs. 39,920 on 11-11-96 and Rs. 5,729 on 18-2-97 were credited. To represent that they were received as demand drafts by the concerned employee in his favour from Conoor branch, Chattarpur, New Delhi branch and Puthur branch. All these evidences have been spoken to in evidence of Management witness No. 1 before the Enquiry Officer, who found out in his investigation as an officer of Vigilance Cell. This witness has been cross-examined in detail by the defence representative. Nothing has been brought out in the cross-examination to shake his evidence in chief. Before the Enquiry Officer, the chargesheeted employee himself has examined as DW1 and he has also filed documents in support of his defence as defence Ex. No. 1 to 14. Among those documents, four pertaining to demand promissory note for huge sums like Rs. 50,000 and Rs. 70,000 and eight documents pertaining to cheques for huge amounts like Rs. 40,000, Rs. 50,000 and Rs. 70,000. All those cheques were drawn on SB account No. 16000 signed by the concerned employee himself. All these cheques do not contain payee's name, except two one in favour of Sri S. Mahalingam and the another is in favour of Sri M. Arulvandan. Out of five Demand Promissory Notes, two are without Payee's name and the other three are in favour of S/Sri Sundaresan, Dilip and S. Mahalingam respectively. None of those persons concerned in these documents had been examined as defence witness in support of the stand of concerned employee before the Enquiry Officer. After analysing all these evidences, which are mainly documentary and also uncontroverted one, the Enquiry Officer has come to the conclusion in his report that there was a busy operation of SB account of the chargesheeted employee during the years 1994, 1995, 1996 and 1997. Further he has concluded that all these transactions revealed that the concerned employee Sri D. Soundararajan was engaging in trade/business which was beyond the scope of his employment. He has also discussed in his report with regard to the credibility of the documentary evidence produced by the concerned employee as defence exhibits, when he has examined himself as a witness on his side. For the cheque issue by the employee himself for huge amounts, he gave an explanation before the Enquiry Officer that after he returned the amount to the concerned person from whom he borrowed amounts, cheques issued to them by him for the borrowed amounts were returned to him. Like that he has given evidence in respect of Promissory Notes. Some of the Promissory Notes do not contain the name of the Payee, as in the case of five cheques. From this, the Enquiry Officer has concluded that he is not able to give any credence to those documents and ultimately he has given a finding in his report that except serial number 8 in the chargesheet all other incidents mentioned in the chargesheet have been proved and thereby he has come to the conclusion that the concerned employee was doing trade

on business outside the scope of his employment. So from all these things, it is clearly seen that the allegation of the Petitioner in the Claim Statement that the Enquiry Officer was totally biased and perverse is without any basis and contrary to the materials available in this case. All these transactions pointed out that concerned employee was carrying on some business and he was using his account with the bank for the promotion and operation of his business. It is not disputed that the concerned workman is also covered by the settlements made under the provisions of Industrial Dispute Act and the said act of the concerned employee can be construed as a misconduct and a violation of Clause 19.5(a) of Bipartite Settlement as alleged by the II Party/Management. It is not disputed that such a misconduct can be treated as violation of Clause 19.5(a) of the Bipartite Settlement entered into between the Management and the employee. So on the basis of the above materials, it can be easily concluded that the findings of the Enquiry Officer in his report is not biased or perverse and against the principles of natural justice. Thus, I answer the point accordingly.

Point No. 2:—

9. The learned counsel for the Petitioner would argue that the Management witness has not stated in his evidence at which the trade or business the concerned employee was engaged and no one was examined to substantiate the evidence of MW1 and the MW1 as Vigilance Officer, who investigated this matter has not examined in person as witness during the investigation and hence his conclusion in the investigation that the concerned employee engaged in trade or business activities through the SB account in the bank branch and engaged himself in trading and business outside the scope of duties to term it as a misconduct. It is the further argument that the burden of proof on the side of the Management has not been discharged and the material witnesses like Managers one Sri Thiagarajan have not been examined and that the concerned employee has not acted against the interest of the bank and has not caused any loss to the bank. It is his further argument that the non-examination of the important witnesses vitiated the enquiry and all these transactions in the SB account of the concerned employee in the bank were not suspected by any of the higher ups in office, but they themselves have allowed transactions with full knowledge that they are money transactions which are not violating the bank rules and regulations. Hence, the Enquiry Officer's finding that the chargesheeted employee is guilty of the charge of nine out of ten incidents is incorrect and hence the same is to be set aside and the Disciplinary Authority's imposition of penalty which is subsequently confirmed by the Appellate Authority is also to be set aside and the chargesheeted employee has to be reinstated in service with all benefits.

10. The learned counsel for the Respondent argued that there are ample materials available in this case as it is concluded by the Enquiry Officer in his finding and they are only documentary evidence which are not disputed by the concerned employee himself. The opening of a joint SB account in his name, his wife and father and brisk transactions in the short period in that account as evidenced in the documents, cannot be disputed. A person who is an employee of the bank with a salary of Rs. 6,000 cannot have such transaction of SB account, unless he himself indulged in some trade or business activities outside the scope of his employment and nothing has been put forward as acceptable evidence as to how the concerned employee would deposit those huge amounts and he has not sufficiently proved the sources for the same. Further, all these transactions made by the concerned employee have not been disputed at all. Under such circumstances, no further oral evidence was necessary except the evidence of Vigilance Officer, who investigated the case and has given evidence before the Enquiry Officer. The explanation offered by the concerned employee for all these transactions were not believed by the Enquiry Officer. Furthermore, the persons doing business with the concerned employee will not come and give evidence against the employee himself. Under such circumstances, it cannot be said that the concerned employee is not guilty of any misconduct as defined in the Clause 19.5(a) of the Bipartite Settlement entered into between the Management and employee. The Disciplinary Authority as well as the Appellate Authority has given sufficient opportunities to the concerned employee before even coming to the decision

for the proposed punishment by the Disciplinary Authority, which was subsequently confirmed by the Appellate Authority. They have clearly stated in their orders that they have come to the conclusion after a careful consideration of all the aspects and found that the punishment imposed is proper and is not disproportionate to the gravity of the misconduct. The Disciplinary Authority in his order Ex. W9 has also stated that the misconduct is grave in nature, warranting deterrent punishment and considering the seriousness and gravity of the misconduct, he has proposed compulsory retirement from the services of the bank against the concerned employee as proper punishment. The same has been confirmed by the Appellate Authority in their order Ex. W15. Hence, the arguments advanced by the learned counsel for the Petitioner should not be accepted as correct and the Honble Tribunal may be pleased to uphold the decision of the Disciplinary Authority in imposing the punishment against the concerned employee of compulsory retirement from the services of the bank as justified one and thereby dismiss the claim of the Petitioner.

11. A perusal of the document let in by way of evidence on either side as Ex. W1 to W15 as a common evidence and the arguments advanced by the learned counsel on either side, and on the basis of my findings in the first issue, I can easily come to the conclusion that the arguments advanced by the learned counsel for the Petitioner cannot be accepted as correct. On the other hand, there is sufficient materials available in this case to come to a conclusion that the arguments put forth by the learned counsel for the Respondent Management is correct and acceptable. There is sufficient material available in the case to come to the conclusion that the concerned workman has engaged himself in trade business outside the scope of his employment as a bank employee of the Respondent bank and he has committed a gross misconduct and the gravity of that misconduct commensurate with the punishment imposed by the Management on the concerned employee and it is not disproportionate, since it is a misconduct as per the Bipartite Settlement between the Management and the employee under Clause 19.5(a). Under such circumstances, it cannot be said that the imposition of punishment of compulsory retirement of Sri D. Soundararajan, Special Assistant from the services of Syndicate Bank vide order dated 24-7-99 is illegal and unjustified, on the other hand, it is legal and justified. Hence, the concerned workman is not entitled to any relief. This, I answer the point accordingly.

12. In the result, an award is passed holding that imposition of punishment of compulsory retirement of Sri D. Soundararajan, Special Assistant from the services of the Syndicate Bank by the Management is legal and justified and he is not entitled for any relief and thereby the claim of the Petitioner is dismissed. No cost.

(Dictated to stenographer and transcribed and typed by him and corrected and pronounced by me in the open court on this day 20th February, 2001.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :

On either side : None.

Documents Marked :

For I Party/Claimant:

Ex No Date Description

W1 15-7-1999 Xerox copy of charge sheet dated 15-7-98 issued to the workman by the Management

W2 10-11-1998 Xerox copy of interim explanation given by Sri D. Soundararajan to the Chargesheet

W3 21-1-1999 Xerox copy of letter given by Sri D. Soundararajan to DGM (ZO-IRC), Chennai with enclosures as per letter.

W4 21-1-1999 Xerox copy of the Enquiry Proceedings

W5 2-2-1999 Xerox copy of the Enquiry Proceedings

W6 2-2-1999 Xerox copy of letter given by Sri D. Soundararajan to Enquiry Officer

W7 Copy of Enquiry Report given by Sri W. S. Jayaprakash, F.O.

W8 2-7-1999 Xerox copy of written submission by Sri D. Soundararajan to Enquiry Officer's report with annexure.

W9 3-7-1999 Xerox copy of the Disciplinary authority.

W10 24-7-1999 Xerox copy of letter from I.R.C., ZO, Chennai enclosing proceedings dated 24-7-99.

W11 3-8-1999 Xerox copy of letter of Mint Street branch enclosing ZO. letter dated 24-7-99.

W12 20-8-1999 Xerox copy of appeal submitted by Sri D Soundararajan to Appellate Authority.

W13 25-10-1999 Xerox copy of proceedings of personal hearing at H.O.

W14 25-10-1999 Xerox copy of written submission of Sri D. Soundararajan to General Manager, HO.

W15 24-11-1999 Xerox copy of letter of IRD, HO enclosing General Manager's proceedings dated 24-11-99.

For H Party/Management : NIL.

नई दिल्ली, 8 मार्च, 2001

का. अा. 696.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार बरेली कारपोरेशन बैंक लिमिटेड के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-3-2001 को प्राप्त हुआ था।

[सं. एल-12012/50/99-ग्राई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 8th March, 2001

S.O. 696.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bareilly Corporation Bank Ltd., and their workman, which was received by the Central Government on 07-03-2001.

[No. L-12012/50/99-IR(B-I)]
AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Presiding Officer : Rudresh Kumar

ADJUDICATION

I.D. No. 16/99

BETWEEN

Pyare Lal,
S/o Shri Babu Ram,
R/o 357 Sikrapur Nr. Bana,
Mangal Das Mandir,
Bareilly.

AND

The Chairman,
Bareilly Corporation Bank Ltd.,
Central Office,
129 D, Civil Lines,
Bareilly.

On amalgamation in Bank of Baroda, represented through :

The Chief Manager,
Bank of Baroda (EBCBL),
Amalgamation Cell,
C/o 129 D, Civil Lines,
Bareilly.

AWARD

By reference No. L-12012/50/99-IR(B-I) dated 3-8-1999, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) sub-section (1) and sub-section 2(A) of section 10 of the Industrial Dispute Act, 1947 (14 of 1947) made over this industrial dispute between Pyare Lal and the Chairman, Bareilly Corporation Bank Ltd., Central Office, Bareilly through Chief Manager, Bank of Baroda (EBCBL), Amalgamation Cell, Bareilly for adjudication to the CGIT-cum-Labour Court, New Delhi and later, transferred the case to this Tribunal.

The reference is re-produced as under :

"Whether the action of the management of Bareilly Corporation Bank Ltd. in terminating the services of Shri Pyare Lal, ex-cashier in charge w.e.f. 30-6-98 by way of retirement on superannuation is just and legal? If not what relief he is entitled to and from what date?"

2. Before adverting to discuss merit of the case, it is appropriate to mention, that Bareilly Corporation Bank Ltd. has since been amalgamated with the Bank of Baroda. Under the order of the Tribunal, Bank of Baroda was substituted and treated as employer. Parties did not raise any dispute in this matter and the Bank of Baroda, treating itself, successor-in-office of the Bareilly Corporation Bank contested present case.

3. Shortly put the workman, Pyare Lal, was initially appointed in Bareilly Corporation Bank Ltd. as Sub-Staff w.e.f. 19-9-1957. He was promoted to the post of Cashier-cum-Godown Keeper w.e.f. 11-2-1982. At the time of initial appointment, Form No. 63, duly filled and signed by him was submitted to the bank. He claims that his date of birth i.e. 3-6-1941 was noted in the said Form 63 submitted at the time of entry in service. He however, on 5-10-1979 adventantly mentioned his date of birth i.e. 3-6-1938, in place of 3-6-1941 in application seeking promotion. On coming to know the said mistake, he submitted applications dated 24-10-79, 9-11-79 and 28-6-1982 to the Central Office to make necessary correction and treat his date of birth i.e. 3-6-1941 as shown in Form 63. The management, instead of acknowledging his request, for correction in date of birth, treated his date of birth to be 3-6-1938. Accordingly, he was superannuated w.e.f. 30-6-1998, and thereby forfeited his three year service tenure, causing pecuniary losses to him. Reinstatement with back wages from the date of illegal superannuation is being claimed in this adjudication.

4. The management has refuted claims of the workman by stating that his correct date of birth is 3-6-1938 and the workman, also admitted this fact in his several applications filed with the bank. The management, however, concedes that Form 63, submitted at the time of initial appointment is not traceable in the office, and 3-6-1938 was taken to be correct date of birth as per admission of the workman. It needs emphasis that the management has not denied loss of Form 63. It is conceded that entries in Form 63 are taken to be final and unrevocable, but in the instant case, the date disclosed by the workman in application dated 5-10-1979 was taken to be correct. There is no material on record to indicate that the management made any inquiry to correct date of birth. It is also not disputed that correction was sought by the workman during the service and objection was raised against superannuation notice.

5. Thus, solitary question requiring determination in this adjudication is, as what date should have been taken for superannuation of the workman i.e. 3-6-1938 or 3-6-1941. If the workman's version is correct, his superannuation date would fall on 30-6-2001. As he had been superannuated w.e.f. 30-6-1998 he would be entitled to back wages beside reinstatement till 30-6-2001.

6. Both the parties, filed a number of documents, in which either, date of birth was not given, or 3-6-1938 and 3-6-1941 are noted. It would not be very purposeful to examine individual documents, as material facts are admitted that the dispute to correctness of date of birth was raised much before superannuation, and the same remained unresolved. The management was unaware about the loss of Form 63. As per rules and practice in the bank, the date mentioned in Form 63 is final. In face of loss of Form 63, it was obligatory for the management to have made some inquiry to ascertain correct date of birth, particularly, when the workman had retracted his date of birth to be 3-6-1938 by filing representations and raising objection against superannuation notice. It was not open to the bank to accept any date arbitrarily, even if disclosed by the workman. Ascertainment of date of birth was obligatory. A close scrutiny over the documents relied by the parties indicate different dates of birth in different records. Arrear sheets of the bank issued from Binawar branch mentions date of birth i.e. 3-6-1941. It is not explained as how this date finds reference in bank's record. The management has not proved that these sheets are forged. As observed earlier, entries in Form No. 63 are taken final. Since the Form 63 filed by the workman was lost and the workman had disputed his date of birth years before superannuation, some process to correctly ascertain date of birth was unoperative. The management has not discharged its onus as what persuaded it to take 3-6-1938 as date of birth, in face of the fact, that its other records referred 3-6-1941 as date of birth.

7. The management should have involved the workman before reaching to conclusion that his correct date of birth is 3-6-38 and was so noted in Form 63 at the time of entry in service. Representations of the workman could not have been put under the table. The action of the management in accepting 3-6-38 as date of birth of the workman was not justified and in consequence his superannuation on 30-6-98 was illegal and unjustified. The workman has shown by filing bank records that his date of birth was shown 3-6-41. He has examined himself also on the said fact. Accordingly, his date of birth should have been treated 3-6-41 by the management. Accepting this date his date of superannuation would fall on 30-6-2001. The workman is entitled to reinstatement with back wages.

8. Thus, the award is as under :

- (i) that the workman is entitled to reinstatement on the last post held by him; and
- (ii) that he is also entitled to wages of the last post, less the amount drawn towards retiral benefits.

RUDRESH KUMAR, Presiding Officer

28-2-2001

LUCKNOW

नई दिल्ली, 8 मार्च, 2001

का. या. 697—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार धरानी सिमेंट लि. के प्रबन्धन के संबंध में निर्यातकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय केन्द्र के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-3-2001 को प्राप्त हुआ था।

[सं. एल-29011/52/99-आई आर (एम)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 8th March, 2001

S.O. 697.—In pursuance of Section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government 847 GI/2001—15

hereby publishes the Award of the Central Government Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management Dharani Cement Ltd., and their workman which was received by the Central Government on 8-3-2001.

[No. 1-29011/52/99-IR(M)]

R. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Friday, the 23rd February, 2001

PRESENT :

K. Kuthikeyan, Presiding Officer.

INDUSTRIAL DISPUTE NO. 46/2001

(In the matter of the dispute for adjudication under section 10(1)(d) and sub-section 2(A) of the Industrial Dispute Act 1917 between the Claimant and the Management of The General Manager, Dharani Cement Ltd, Sri Sembian, Contractor and Sri Sivaraman, Contractor, Thiruvallur)

BETWEEN

The Secretary,
Dharani Cement Alai Surangam Matrum
Oppanda Dhesiya Thozhilalai Sangam,
Thiruvallur

Claimant/I Party

AND

1. The General Manager,
Dharani Cement Ltd., Thiruvallur

2. Sri Sembian, Contractor
Thiruvallur.

3. Sri Sivaraman, Contractor.
Thiruvallur

Management/II Party.

APPEARANCE :

For the Claimant : None
For the Management : None.

REFERENCE :

Order No. L-29011/52/99/IR(M) dated 22-2-2000 Govt of India, Ministry of Labour, New Delhi.

AWARD

Schedule of Reference:—

"Whether the demand of Dharani Cement Factory Mines and Contract Dhesiya Thozhilalai Sangam for bonus for the accounting year 1996-97 is justified? If so, to what benefit the workmen are entitled?"

This order of reference for adjudicating the Schedule mentioned industrial dispute was originally referred by the Ministry to the Tamil Nadu Industrial Tribunal and it was taken on file as I.D. No. 46/2000. Subsequently, as per the orders of the Ministry, this dispute was transferred from the file of the Tamil Nadu Industrial Tribunal to the file of this Tribunal and was taken on file as I.D. No. 46/2001 on 12-1-2001.

2. The Central Government by its order referred to above has referred the Schedule mentioned dispute between the parties for adjudication by this Tribunal

3. On receipt of the records for this Industrial Dispute on transfer from the Tamil Nadu Industrial Tribunal and taken on file as I.D. No. 46/2001 on 12-1-2001, notice to both the parties were ordered to be sent by Registered Post with acknowledgement due for a hearing on 24-1-2001. Accordingly, notices were sent to the I Party/Claimant and II Party Management, three in numbers, by Registered Post with acknowledgement due for the hearing on 24-1-2001. When the matter was taken on 24-1-2001, both the parties remained absent and there was no representation on either

side. The notice sent by Registered Post to the II Party No. 1 was served and the postal acknowledgement was also received. The notices sent to the II Party numbers 2 and 3 were returned unserved. For the notice sent to the I Party the postal acknowledgement was not returned. So a fresh notice to both the parties by Registered Post with acknowledgement due has ordered for the hearing on 7-2-2001. Accordingly, notices were sent by Registered Post with acknowledgement due to both the parties for the hearing on 7-2-2001. When the matter was taken up on 7-2-2001, none of the parties was present and there was no representation on either side. The fresh notices sent to both the parties were returned unserved with the postal endorsement 'returned to sender'. Then again a final notice was ordered to be issued to both the parties by Registered Post with acknowledgement due for to-day's hearing i.e. 23-2-2001. Accordingly, fresh notice as final notice was sent to both the parties by Registered Post with acknowledgement due for to-day's hearing. When the matter was taken up to-day, it is found that the notice sent to both the parties by Registered Post with acknowledgement due, were returned again as unserved with the postal endorsement 'returned to sender'. There is no representation on either side. On seeing the earlier records, it is found that this case has been taken on file in the Tamil Nadu Industrial Tribunal as I.D. No. 46/2000, notices were sent to both the parties by Registered Post with acknowledgement due, after initial notices sent by Certificate of Posting for the appearance of parties on 16-5-2000 had no response. Subsequent notices sent by that Tribunal by Registered Post with acknowledgement due also had no response. In that Industrial Tribunal the case was adjourned from time to time from 16-5-2000 to 3-1-2001, the date on which an order was passed in the I.D. for transferring this industrial dispute for adjudication to this Tribunal as per orders of Ministry of Labour Govt. of India. In all those hearings, there also none of the parties was present and there was no representation. From all these things it is evidently clear that none of the parties to the dispute is interested in prosecuting this case. From this it is presumed that no dispute as mentioned in the Schedule of reference is now in existence between the parties concerned to this industrial dispute and that is why none of the party is interested to appear before both the forums even after receipt of various notices sent by both the forums by registered post. Hence, this reference is closed for non-prosecution by passing a no 'relief award', since no dispute as referred to in the Schedule exists between the parties now. No Cost.

(Dictated to the Stenographer and transcribed and typed by him and corrected and pronounced by me in the open Court on this day the 23rd February, 2001)

K. KARTHIKEYAN Presiding Officer

नई दिल्ली, 8 मार्च 2001

रा. म. 698—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार उद्योगीक स्टेडिओरस एसोसिएशन के प्रबन्धन के मन्त्रालयों और उनके कर्मचारियों के बीच, अनुसूचन में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय केन्द्रों के पक्षों को प्रकाशित करती है जो केन्द्रीय सरकार को 8-3-2001 को प्राप्त हुआ था।

[T. एन-44012/9/99-आई. आर. (एम.)]

श्री एम. डेविड, सदन सचिव

New Delhi, the 8th March, 2001

S.O. 698.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to

the management Tuticorin Stevedores Association and their workman, which was received by the Central Government on 8-3-2001.

[No. L-44012/9/99-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Friday the 23rd February, 2001

PRESENT :

K. Karthikeyan, Presiding Officer

Industrial Dispute No. 246/2001

(In the matter of the dispute for adjudication under Section 10(1)(d) & Sub-section 2(A) of the Industrial Disputes Act, 1947 between the Claimant and the Administrator, Tuticorin Stevedores Association, Tuticorin.)

BETWEEN

The General Secretary,
Kappal Thozhilalai Munnetra Sangam,
Tuticorin, ... Claimant/I Party

AND

The Administrator,
Tuticorin Stevedores Association
Tuticorin ... Management/II Party

APPEARANCE :

For the Claimant : None

For the Management : Mrs. P. Peppin Fernando
Shri A. R. Nixon,
Shri N. Edwin Jeyakumar.
Advocates.

REFERENCE :

Order No. L-44012/9/99-IR(M) dated 21-9-99, Govt. of India, Ministry of Labour, New Delhi

AWARD

Schedule of Reference :

"Whether the action of the Management of Tuticorin Stevedores Association, Tuticorin in not accepting the date of birth certificate in respect of Shri S. Kadar-karai issued by the competent authorities is justified and legal? If not, to what relief the workman is entitled?"

This order of reference for adjudicating the Schedule mentioned industrial dispute was originally referred by the Ministry to the Tamil Nadu

Industrial Tribunal and it was taken on file as I.D. No. 259/99, Subsequently, as per the orders of the Ministry the dispute was transferred from the file of the Tamil Nadu Industrial Tribunal to the file of this Industrial Tribunal and was taken on file as I.D. No. 246/2001 on 24-1-2001.

2. The Central Government by its order referred to above, has referred the Schedule mentioned dispute between the parties for adjudication by this Tribunal.

3. On receipt of this industrial dispute on transfer from the Tamil Nadu Industrial Tribunal and taken on file as I.D. No. 246/2001 on 24-1-2001, notices to both the parties were ordered to be sent by Registered Post with acknowledgement due for hearing on 9-2-2001. Accordingly, notices were sent to the I Party/Claimant and the counsel on record for the II Party/Management by Registered Post with acknowledgement due was served on 9-2-2001. When the matter was taken up on 9-2-2001, the I Party/Claimant was not present and called absent. The notice sent by Registered Post with acknowledgement due was served on the I Party/Claimant and the postal acknowledgement for the service was also received. The counsel for the II Party was present on the day. So, a fresh notice has been ordered to the I Party to be sent by Registered Post with acknowledgement due for to-day's hearing. Accordingly, a fresh notice by Registered Post with acknowledgement due was sent to the I Party/Claimant for to-day's hearing. The said notice was also served and the postal acknowledgement has been received. When the matter was taken-up for enquiry on 23-2-2001 i.e. to-day the I Party Claimant was not present and called absent. There is no representation on behalf of the I Party/Claimant. The counsel for the II Party alone was present. A perusal of the entire record shows that ever since the beginning the matter was taken up by the Tamil Nadu Industrial Tribunal on its file as I.D. No. 259/99 and when the case was first taken up for appearance of parties on 7-12-99 and on all subsequent dates upto 4-12-2000 on the file of the Tamil Nadu Industrial Tribunal, the I Party/Claimant has not chosen to appear before that Tribunal to make any representation for this industrial dispute. Subsequently, as per the orders of transfer by the Ministry and on receipt of the file on transfer from the Tamil Nadu State Industrial Tribunal by this Tribunal and after taken on file fresh notices were sent to the I Party/Claimant. The General Secretary of Kappal Thozhilalar Munnetra Sangam, Tuticorin by Registered Post with acknowledgement card for their appearance and to represent this dispute here in this Tribunal. No one was present to represent the I Party/Claimant and all through the I Party/Claimant remained absent and unrepresented. In spite of the fact the Registered notices were served twice on the I Party/Claimant, no one has chosen

to appear before this Tribunal so far. It is seen that the I Party/Claimant, the General Secretary of Kappal Thozhilalar Munnetra Sangam, Tuticorin has raised this industrial dispute espousing the cause of workman Sri S. Kadarkarai as referred to in the Schedule of reference, neither himself nor the aggrieved employee himself has appeared before this Tribunal to make a representation and to file Claim Statement in respect of this dispute. The learned counsel for the II Party alone was present. From this, it is evidently clear that the I Party Union has absolutely no interest or inclination to prosecute this industrial dispute before this Tribunal for a proper adjudication to get the relief prayed for in the Schedule mentioned reference. Under such circumstances, this Tribunal has to conclude that no dispute exists between the parties.

4. In the result, this Tribunal pass an award holding that the dispute under reference does not exist between the parties at present and hence dismiss the claim referred to in the Schedule as non-exists and also for non-prosecution. No Cost.

(Dictated to the Stenographer and transcribed & typed by him and corrected and pronounced by me in the open court on this day, the 23rd February, 2001.)

K. KARTHIKEYAN, Presiding Officer

नई दिल्ली, 8 मार्च, 2001

का. आ. 699.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मद्रास डॉक लेबर बोर्ड के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनवरत में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/धर्म न्यायालय, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्राय सरकार को 8-3-2001 को प्राप्त हुआ था।

[स. एन-33012/2/94—आई ग्रार (एम.)]

बी. एम. डेविड, ग्रार सचिव

New Delhi, the 8th March, 2001

S.O. 699.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Madras Dock Labour Board and their workman, which was received by the Central Government on 8-3-2001.

[No. L-33012/2/94-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU, CHENNAI-104

Monday, the 29th day of January, 2001

PRESENT:

Thiru S. R. Singaravelu, B.Sc. B.L., Industrial Tribunal.
Industrial Dispute No. 202 of 1994

[In the matter of dispute for adjudication under Section 10(1)(d) of the Industrial Dispute Act, 1947 between the Workmen and the Management of Madras Dock Labour Board, Chennai-1.]

BETWEEN

1. Shri N. Ramachandran.
2. Shri M. Subramanian
3. Shri N. Arumugam
4. Shri K. Paramanandan.
5. Shri R. Balraj.
6. Shri I. Gnanasusai.
7. Shri P. Balu.
8. Shri K. Subbaraj.
9. Shri P. Ramasamy.
10. Shri P. Nurusamy.
11. Shri D. Subramani.
12. Shri M. Wahaba.
13. Shri M. Sakthivel

No. 11, Bharathi Street,
Venuvampet,
Medavakkam High Road,
Madras-600091

AND

The Deputy Chairman,
Madras Dock Labour Board,
Rajaji Salai,
Madras-600001.

REFERENCE :

Order No L-33012/2/94-IR (Misc.) dated 25-11-94,
Ministry of Labour, Government of India, New
Delhi.

This dispute coming on for final hearing on Thursday, the 25th day of January, 2001 upon perusing the reference. Claim and Counter Statements and all other material papers on record and upon hearing the arguments of Thiru S. Vaidavanathan for M/s Rao and Reddy, Advocates appearing for the workmen and of Thiru G. Venkat Raman for Tvl. Aiyer and Dolia, Advocates, appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following :—

AWARD

The Government of India has referred the following issue for adjudication by this Tribunal :

“Whether the action of the management of Madras Dock Labour Board, Madras in denying employment by way of Registration to Shri N. Ramachandran and 12 others (as per list enclosed) from the date of their employment in the Madras Dock Labour Board is justified? If not, to what relief these workmen are entitled?”

ANNEXURE

1. Shri N. Ramachandran.
2. Shri M. Subramanian
3. Shri N. Arumugam
4. Shri K. Paramanandan.
5. Shri R. Balraj.
6. Shri I. Gnanasusai.
7. Shri P. Balu
8. Shri K. Subbaraj.
9. Shri P. Ramasamy
10. Shri P. Nurusamy.

11. Shri D. Subramani.
12. Shri M. Wahaba.
13. Shri M. Sakthivel.

2. The main averments found in the Claim Statement of the petitioner are as follows :

Prior to the year 1969, the Clearing and Forwarding work in the Madras Port was done through the various private Licensed Custom House Clearing and Forwarding Agents, Importers and Exporters. The petitioner was working from 1968 as Mazdoor in T. Suganesan and Co. which is one such private Licensed Custom House Clearing and Forwarding Agent and Importers and Exporters. The Madras Port Clearing and Forwarding Labour (Regulation of Employment) Scheme was framed in the year 1969. Under this scheme, the Clearing and Forwarding Agents including M/s. T. Suganesan and Co., were included in the listed employers. The workmen such as the 1st petitioner and other 12 petitioners in this I.D. who were already working under the listed employers applied to work under the above scheme through their employers. The Scrutiny Committee selected Maistries and Mazdoors in the year 1971. The petitioner was also selected and Identity Card was issued. However, due to some inadvertent mistake, the petitioner's name was omitted for appointment when the scheme started functioning from the year 1972. Hence the petitioner along with 682 other workers preferred an appeal. The Appellate Authority's Order dated 14-5-73 stated that on consideration of relevant factors including experience in the work of loading and unloading supported by documents such as photo pass, temporary passes and in their absence, the knowledge about the work itself, the 24 workers were considered to be fit for inclusion in the permanent list of clearing and forwarding workers under the scheme, subject to their physical fitness. The list was in the Order of Merit. The respondent board chose to reply to the petitioners on 10-3-88 directing them to call at the Office of the Personnel Officer, who in turn directed the petitioners to produce the documents. Accordingly, the petitioners presented the documents before the Administration. On 11-3-89 the petitioners gave a representation to the Senior Administrative Officer requesting for permanent employment as per the Appellate Authority's Order dated 14-5-73. The Senior Administrative Officer by his letter dated 12-4-1989 has arbitrarily stated that on fulfilment of the aforesaid condition, they will be considered for casual employment. On 19-4-1989 the petitioners sent another representation to reconsider and provide them with permanent employment. But there was no reply. Therefore, the petitioners raised a dispute before the Regional Labour Commissioner on 31-12-1990. The Board in its reply dated 26-2-92 has stated that there had been a dispute between the Union and the Association and while the Tribunal's Award required the Board to fill up about 600 vacancies by permanent labour, they had appointed about 770 permanent labour which is well above the required order. The Board further stated that it was not possible to appoint the 24 workers including petitioners as permanent labour and hence it offered casual employment. It said that they had to report at all point every day to secure work and out of these 24 casuals only 11 reported at call point. Thus those 11 workmen were absorbed subsequently on permanent basis and as the 13 workers involved in this dispute never reported for work from 1974 to 1979 and deserted the employment. It further stated that the petitioners' claim is belated and that there is no provision in the scheme to take such deserted private labourers. The petitioner states that he and the other 12 workers are entitled for permanent employment as per the scheme and the order dated 14-5-1973. The petitioner prays to hold that the denial of employment by way of registration to Shri N. Ramachandran and 12 others from the date of their employment in the Madras Dock Labour Board as illegal and unjustified and direct the respondents to provide the petitioners with regular and permanent employment in the post which the petitioners were holding prior in 1972 w.e.f. 14-5-73 with back wages and continuity of service.

3. The main averments found in the Counter Statement of the respondent are as follows :

The dispute raised by the petitioners does not fall under Section 2A of the Industrial Disputes Act, 1947 and the same having been not raised by a Union, there is no Industrial Dispute as provided for under Industrial Disputes Act. For regularity of employment opportunities in regard to the labourers engaged by them the said private employers brought

out a labour pool called 'Madras Port Clearing and Forwarding Labour Pool'. This pool was brought under a private scheme framed by the said employers. The said scheme was brought into existence in 1972 and was called 'Madras Port Clearing and Forwarding (Regulation of Employment) Scheme'. The Administrative Committee selected classified and grouped the labourers into two lists—'A' List and 'B' List which consist of 585 and 394 workers respectively, and their combined strength was fixed as 770. These 770 were enlisted as Clearing and Forwarding workers conferring permanent status on them. The remaining 209 workers were maintained as casual workers. The said Committee rejected the listing in regard to 683 workers. These workers, who were neither in list 'A' nor in list 'B' made representation to Sri B. K. Jayarama Rao, who then happened to be the Deputy Chairman of the Madras Dock Labour Board. Mr. B. K. Jayarama Rao was not an appellate authority under any Statutory Enactment Rules or Statutory Schemes. In May 1973 he reached the finding that only 24 out of 683 were fit for being included in the permanent workers list. The claimants who are 13 in number seek to allege that they come within the said 24 persons. In I.D. No. 54 of 1973, by the Award dated 2-4-1974, the aforesaid Industrial Tribunal fixed the strength of permanent labour for clearing and Forwarding operation at 600. To be precise the 24 persons were neither in list 'A' nor in list 'B' or in the combined list. The optimum labour strength having been fixed as 600, the Administrative Committee of the Scheme could not include the names of 24 persons in the permanent list. However in order to honour the recommendation of Sri B.K. Jayaram Rao, the Administrative Committee placed these 24 persons in a waiting list and provided them employment opportunity as casual labourers. Out of the 24 persons stated above who were wait listed and given casual employment the claimants herein failed to turn up daily for availing work as casual labour. The other 11 persons regularly reported at the call point and worked as casual labour as and when the same was provided to them. On account of their regular attendance they could get employment as lucid and intermittent intervals. Therefore, as and when the vacancies arose in the past they were regularised by the previous private management. Since the claimants remained absent for long periods, they could not be regularised and their names were removed by the previous management for the listing of wait listed casuals. The respondent came into the picture only on 1-8-1988 under the Statutory Scheme namely Madras Unregistered Dock Clearing and Forwarding Workers (Regulation of Employment) Scheme, 1988. Such scheme framed by the Central Government under Sec. 4 of the Dock Workers (Registration of Employment) Act came into force only from 1-8-1988. As already stated the 13 claimants deserted their position as wait listed casual labour in 1974. The claimants names did not and do not find a place in the list of casual maintained by the erstwhile management. The cut off date for updating the list was 15-4-79. Under clause 18 of the said scheme it is provided that each of those labourers, who had been listed as regular workmen as on 11-4-1984 and continuously employed by the erstwhile employer (Administrative Committee managing the Private Employers' Scheme) till 31-7-88 alone are eligible to be absorbed as workmen of the 1st respondent. As the claimants deserted their position as wait listed casuals from 1974 onwards, they were and are not eligible to be absorbed as listed workers under the Statutory Scheme. As the claimants voluntarily deserted their wait listed casuals' position in 1974 itself, to the case of the claimants, Section 25G and 25H of the Industrial Disputes Act have no application. Having deserted the position of wait listed casuals in 1974, and having failed from 1974 till 1-8-1988 to aviate their case against the erstwhile private management it is not open to the claimants to raise a dispute after 1988 belatedly against this respondent. The respondent prays to dismiss the petition.

4. On behalf of petitioner, WW1 Thiru N Ramachandran has been examined and Ex. W1 to W21 were marked. On behalf of respondent, MW1 Thiru N I. Tarekath has been examined and Ex. M1 to M18 were marked.

5. The Point for Consideration is Whether the action of the management of Madras Dock Labour Board, Madras in denying employment by way of Registration to Sri N.

Ramachandran and 12 others, from the date of their employment in the Madras Dock Labour Board is justified? If not, to what relief these workmen are entitled?

6. The Point : The Madras Dock Labour Board is a statutory body constituted under Section 5(A) of the Dock Workers (Regulation and Employment) Act, 1948 to administer schemes framed under Section 4 of the Act. The objects of the scheme are to ensure to greater regularity of employment for Dock Workers and to secure that an adequate number of Dock Workers are available for the efficient performance of the dock work. The Dock Labour Board is a Tripartite body. In it equal number of representatives of employers and dock workers and Government representatives are appointed by the Central Government.

7. Till 1-8-1988 the Dock Labour Board administered Madras Dock Workers (Regulation of Employment) Scheme 1957 which regulated the employment of Registered Dock Workers called 'Registered Scheme'. In the Port of Madras there were many agencies in cargo handling operations and services. Among them there were two labour pools under the private managements. One of them rendered ancillary services in stevedoring operations on board the ships and other pool of workers under the private management was engaged to render service in clearing and forwarding transactions to the consignees. The later part of the aforesaid services was done by the association of employees under a private scheme, pursuant to a settlement between the Clearing and Forwarding agents and the representatives of recognised union under Section 12(3) of I.D. Act. The workers of the two private pools through their union agitated for being brought under statutory schemes to be framed by the Govt. of India, which formulated two separate schemes and notified the same in the Gazette of India on 12-1-88. Both these two schemes were brought under the administration and control of the respondent w.e.f. 1-8-88. The said new schemes are (i) The Madras unregistered Dock General Pool Workers (Regulation of Employment Scheme) 1988 called 'G.P. Scheme' and another is, (2) the Madras unregistered Dock Clearing and Forwarding Workers (Regulation of Employment Scheme) 1988 called 'C & F Scheme'. We are actually concerned about this C&F Scheme which has been marked as Ex. W1. Clause 18(1)(a) of the said Scheme provides as follows :

"Any worker who has already been registered under the Pool run by Madras Port Clearing and Forwarding Agents as on 11-4-1984 shall subject to being found suitable for listing and scrutiny of age, medical fitness and verification of character and antecedents, be deemed to have been listed under this scheme. Those who are not found suitable for listing under the above conditions shall be kept out of the purview of the scheme."

8. Originally, when the Clearing and Forwarding Workers was regulated by the private employees, the Administrative Committee of the C&F agents classified the workers into two categories and listed them as 'A' and 'B' respectively consisting of 585 and 394 workers. By virtue of the Agreement dated 30-10-1972 reached with the unions and marked as Ex. M1, List A and List B were pooled together making a combined strength of 770 workers. They were listed as regular workers and the remaining were maintained as casual workers. As per Ex. M1 Settlement, the Committee rejected listing with respect to 683 workers. They were neither in list 'A' nor in list 'B' under such circumstances, the administration referred the complaint to Sri B.K. Jayarama Rao who was the then Dy. Chairman of Madras Dock Labour Board. Under the private scheme, in regard to disciplinary matters he was treated as an appellate authority. Under clause 36(1) of the said private scheme, the workers could file an appeal to the Deputy Chairman of the Dock Labour Board. Ex W2 dated 14-5-73 was the Order of the said Appellate Authority, wherein it was found that as many as 24 persons were fit for inclusion for the permanent list of C&F Workers of the Private Scheme, which included the names of the petitioners also.

9. In the mean time, the Madras Harbour Workers Union raised the dispute demanding minimum guaranteed wages of 21 days regarding which an Award was passed on 2-4-74 in I.D. No. 54/73 marked as Ex. M2, wherein it was held as follows :

"Taking in consideration the fact the average engagement varies from 281 to 354 and also to meet the contingencies for clearing heavy cargo, the clearing and forwarding association could have atleast a strength of 600 listed workers without any casuals. So I fix the strength of listed workers at 600 without any casuals. Now association is able to provide work only for 10 or 12 days in the month. The workers should get minimum guaranteed wages. The Dock Labour Board has progressively increased from 12 days to 21 days. I am of the view that the Minimum guaranteed wages for 21 days in a month though not justified they would be entitled to get minimum guaranteed wages for 12 days at present."

10. Therefore, the number of permanent workers was reduced from 743 to 600 and the Tribunal found that there was no scope for engaging casuals. To mention against originally the workers of List A and List B who were under the Administrative Committee of the permanent management had the strength of 770 workers; added to which Mr. B. K. Jayarama Rao's Order through Ex. W2 suggested to include 24 persons, including the petitioners. It could not be effectuated because of the Order of I.D. No. 54/73. Now as per the Order in I.D. No. 54/73 marked as Ex. M2, the workers who come below the strength of 600 workers will be given benefits under the Voluntary benefit Scheme and that the listed workers who have to be retrenched will be entitled to lumpsum exgratia of Rs. 2500 each and that the casuals will not be entitled to any of the retirement benefits. Thus, the petitioners could not reach the number 600 and were kept as casuals. However, the private management out of deference to Sri B. K. Jayarama Rao's decision dated 14-5-73 kept the 24 persons in a waiting list of casuals. This will go to show that they have accepted the verdict of Sri B. K. Jayarama Rao passed on 14-5-73. Therefore it is now not open for them to contend the B. K. Jayarama Rao was not an appellate authority at all. In such vacancies that had arisen subsequently, the 13 persons among the 24 mentioned in the Jayarama Rao's order, have been given job, except the petitioners who are 11 in number. They could not be absorbed because they have failed to report for work, even after the verdict of Jayarama Rao.

11. The contention of the respondent/management is that had these 11 petitioners reported for work immediately after the verdict of Jayarama Rao on 14-5-73, they could have been found in the List and would have also been granted permanent status. But they have not appeared. Therefore, they have not been found in the registered pool as on 11-4-84 as contemplated in clause 18(1)(A) of the Scheme of 1988. This respondent came into the picture only on 1-8-88 as per the above scheme and they can regulate or make workers permanent only as per the list maintained as on 11-4-84 as found in the above clause 18(1)(a) of the 1988 Scheme. Since the petitioners immediately after the Jayarama Rao's verdict on 14-5-73, had absented from work unlike the remaining 13 persons they could not come into the pool maintained as on 11-4-84. Therefore the whole difficulty for the petitioner arose. In fact, they have made so many representations as found in Ex W14 to W19. The learned Counsel for the Management argued that there is no proof that the erstwhile management ever received these representations. It was further argued that the acknowledgement due receipts have not been produced. Again they put forth the contention that if really these 13 petitioners had attended the workshop, as the 11 other workers did, they would be having with them, their identity cards and photo passes for which WW1 in his evidence deposed that they had no such identity card for the period from 1974 to 1988. Therefore, it is clear that though these petitioners were wait listed as casuals they did not report for work as the 11 others did from 1974 onwards.

12. The contention of the workmen is that had they been informed they would have reported to duty. While the 11 others had attended the work how could these petitioners were not aware of the result of appeal. It is not also the case of these petitioners that they did not know the same. After having admitted about the knowledge of result of appeal it is idle on the part of the workmen to have awaited for a notice to be sent from the side of the management. The point is whether at all these petitioners had the knowledge of the result of the appeal. Admittedly they had when

such is the case they cannot claim the benefit of the failure on the part of the management to inform them. There is also no statutory requirement to that effect. The total absence of these petitioners after having known the result of the appeal, amounts to abandonment of duty. They merely wrote a letter on 5-1-83 (Ex. W16); 8 years after their letter dt. 7-4-74 (Ex. W15). They have neither raised any dispute on 7-4-74 or immediately thereafter. The fact remains that there was wide publicity made under 10(a)(iii) of the I.D. Act; even after that these 13 persons kept quite. In fact, there was an increase in the Cargo traffic and that 125 casuals were included in April 1979 in the regular list; 25 casuals were included in September 1979. Because of the spurt in Cargo movement, 400 casuals were engaged in the later part of 1979 by the private management. Even during the pendency of the Writ appeal, in W.A. 100/85, in a Settlement reached, 70 out of 400 casuals were agreed to be regularised and 80 were wait listed with some conditions. Even then these petitioners have not enlisted themselves.

13. Now the workmen would contend the case of Appointment order to Rajangam issued under Ex. W3 on 9-1-84 and Boopathi on 12-9-79. As far as the Rajangam is concerned, he worked as a wait listed casual; but he demanded that he should have been treated as Maistry from the beginning by virtue of nature of work performed by him. The Union concerned on his behalf raised a dispute which was taken as I.D. 26/82 the award of which was passed as Ex. W4 dt. 31-10-83. This has nothing to do with these petitioners. These petitioners for the first time wrote a letter only on 28-4-88 and that there was no scope for taking them as regular employees. It can be understood by seeing Ex. M12 and M18 that the Government has not permitted the Madras Dock Labour Board to take its workers who were not in the regular list of erstwhile employer as on 11-4-84.

14. The dispute itself was raised in 1988. The learned Counsel for the Petitioner relied upon 2900(II) LAW Weekly 725, wherein exercise of power in that case after 7 years of the management dismissing the respondents was held not on any rational basis. Therefore, to say that there is no time limit is not the answer. Again the workman relied upon 1989 II LLN p. 699 for the just action of the spouse of the cause. There is no justification for the petitioner to raise a dispute after so many years; and any offer of job to them will be only by way of deviating clause 18(1)(a) of the C & F Scheme of the year 1988.

15. Therefore, viewed in any angle, the action of the management of Madras Dock Labour Board, Madras in denying employment by way of Registration to Sri N. Ramachandran and 12 others from the date of their employment in the Madras Dock Labour Board is only justified. Award passed accordingly. No costs.

Dated at Chennai, the 29th day of January, 2001.

S. R. SINGHARAVELU, Industrial Tribunal

I.D. No. 202/94

WITNESSES EXAMINED

For Petitioner/Workmen :

WW1 : Th. N. Ramachandran.

For Respondent/Management :

MW1 : Th. N. J. Tarakanath.

DOCUMENTS MARKED

For Petitioner/Workman :

Ex. W1 : The Madras Port Clearing and Forwarding Labour (Regulation of Employment) Scheme.

Ex. W2 14-5-73 : Order of Appellate Authority.

Ex. W3 9-1-84 : Appointment order to Rajangam pursuant to Tribunal's Award.

Ex. W4 31-10-83 : Award in I.D. 26/82.

Ex. W5 10-8-88 : Respondent's letter directing petitioner to call at office.

Ex. W6 28-2-89 : Respondent's letter directing petitioner to produce sworn affidavit.

- Ex. W7 11-3-89: Petitioner's representation representing for permanent employment.
- Ex. W8 12-4-89: Respondent's letter to petitioner will be considered for Casual employment.
- Ex. W9 19-4-89: Petitioner's representation to reconsider and provide permanent employment.
- Ex. W10 31-12-90: Dispute raised.
- Ex. W11 26-2-92: Respondent's reply.
- Ex. W12 3-2-93: Petitioner's rejoinder.
- Ex. W13 28-12-93: Conciliation failure report.
- Ex. W14 14-3-73: Petitioner's representation.
- Ex. W15 7-4-74: -do-
- Ex. W16 5-1-83: -do-
- Ex. W17 2-2-84: -do-
- Ex. W18 18-12-94: -do-
- Ex. W19 4-1-86: -do-
- Ex. W20 28-4-88: Representation from the petitioner to the Minister of State for Surface Transport, New Delhi.
- Ex. W21 15-6-78: Letter from the Respondent Board to M. Rajangam.

Documents for Respondent/Management:

- Ex. M1 30-10-72: Agreement reached with the Union in (xerox) the Meeting held.
- Ex. M2 7-5-74: Award of the Industrial Tribunal in I.D. 54 of 1973.
- Ex. M3 7-5-74: List of casuals who became of their dispute being wait listed.
- Ex. M4 7-5-74: List of Casuals who are wait listed regularly attending work and later absorbed as regular workmen by the erstwhile management.
- Ex. M5 3-6-83: Settlement between erstwhile management and the Two registered Representative Unions.
- Ex. M6 8-8-83: Settlement to refer dispute for arbitration under Section 10-A of the I.D. Act to Regional Labour Commissioner.
- Ex. M7 5-3-84: Interim order.
- Ex. M8 21-8-84: Award of the arbitrator Renjithamani.
- Ex. M9 25-5-95: Settlement between erstwhile management and the Two representative unions.
- Ex. M10 13-5-85: 12(3) Settlement before the Regl. Labour Commissioner and Union and erstwhile C & F Management.
- Ex. M11 25-2-86: Order of the High Court in W.A. 100/86.
- Ex. M12 23-2-88: Letter from Government of India to M.D.L.B.
- Ex. M13 15-4-98: Letter from Government of India to M.D.L.B.
- Ex. M14 15-7-88: Letter from Government of India.
- Ex. M15 30-8-88: Board Resolution.
- Ex. M16 16-9-98: Letter from Government of India to M.D.L.B.
- Ex. M17 18-11-88: Letter from M.D.L.B. to Government of India.
- Ex. M18 5-12-88: Letter from Government of India to M.D.L.B.

नई दिल्ली, 16 मार्च, 2001

का. प्र. 700.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नई दिल्ली म्यूनिसिपल काउंसिल के प्रबन्धन के सबब नियोजकों और उनके कर्मचारियों के बीच अनुबंध में

निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अथ न्यायालय नई दिल्ली में पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार को 12-2-2001 को प्राप्त हुआ था।

[सं. एन-2204/1/2001/आई प्रार (सी-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 16th March, 2001

S.O. 700.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, New Delhi, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of New Delhi Municipal Council and their workman, which was received by the Central Government on 12-2-2001.

[No. L-22014/1/2001/IR (C.II)]
N. P. KESHVAN, Desk Officer

ANNEXURE

BEFORE SHRI K. S. SRIVASTAV, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 117/98

In the matter of dispute between :

1. Shri Ram Avtar Gupta,
S/o Shri Om Parkash Gupta,
r/o E-51, Palika Enclave,
Moti Bagh,
New Delhi-110021.
2. Shri Bal Ram,
S/o Shri Sukhbir Singh,
r/o 359/8, Gali No. 3,
Ravi Dass Mandir Marg,
Mandawali Fazalpur,
Delhi-92.
3. Shri Satish Kumar,
S/o Shri Jai Singh,
r/o 888/27, West Ram Nagar,
Sonapat, Haryana.
4. Shri Mehar Chand,
S/o Late Shri Hukam Singh,
r/o A-22, Police Station Mandir
Marg, New Delhi-110001.
5. Shri Mahender Singh,
S/o Shri Munshi Ram,
r/o E-42, Madipur,
J. J. Colony,
New Delhi.
6. Shri Ramesh Chand,
S/o Shri Bheekh Chand,
r/o 79-A, Kundan Nagar,
Delhi-110092.
7. Shri Chander Mohan,
S/o Shri Faqir Chand,
r/o A-5A/183, Janata Flats,
Janakpuri, New Delhi.

8. Smt. (Ms.) Anita Sharma,
W/o Shri Divyanshu Singh,
r/o 5/65-66, Malviya Nagar,
New Delhi-110017.
9. Shri Om Parkash,
S/o Shri Sukh Dayal,
r/o 675, Lodhi Road Complex,
New Delhi.
10. Shri Neeraj Bhardwaj,
s/o Shri S. R. Bhardwaj,
r/o D-100, Kamla Nagar,
Delhi-110007.
11. Shri Sudarshan Kumar,
S/o Shri M. R. Bhardwaj,
r/o Village Mundhela Kalan,
New Delhi-110073.
12. Sh. Shinder Pal Singh,
S/o Shri Dilip Singh,
r/o Quarter No. 8,
Gurudwara Mata Sundri,
New Delhi-110002.
13. Shri Vijender Kumar,
S/o Shri Mehar Singh,
r/o H. No. 114, Village Hastal,
Post Office Uttam Nagar,
New Delhi-110059.
14. Shri Ahmad Kamal,
S/o Shri Armeer Ahmad,
r/o 362, Baghpat Road,
Behind Dev Nagri College,
Meerut City.
15. Shri Vishwadeep Gaur,
S/o Shri H. P. Gaur,
r/o 9/4561,
Ajit Nagar,
Delhi-110031.
16. Shri Sharad Kumar Jhamb,
S/o Shri Prem Nath,
r/o H. No. 109, Bhai Parmanand
Colony,
Delhi-110009. ———
17. Shri Devender Kumar,
S/o Shri A. S. Sharma,
r/o C-17, Mohalla Bhagat Singh,
Seelampur,
Delhi-110053.

Versus

New Delhi Municipal Council,
Through : Its Chairperson,
New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110001.

APPEARANCES :

Shri B. B. Gupta, Advocate for the Workman.
Shri Vinay Sabharwal, Advocate for the
Management.

AWARD

By means of this petition all the 17 petitioners
have performed their grievance against the indiffe-
rent attitude of New Delhi Municipal Council (in

short hereinafter referred to NDMC) for not allow-
ing them the higher pay scale, allowance and other
service benefit as recommended in the report of Shiv
Shanker Committee (hereinafter referred to as SSC)
benefit of which has already been given to other
similarly placed employees of NDMC.

2. The specific prayer of the petitioners made in
the petitioner is mentioned below :—

- (i) adjudicate upon the claims of the peti-
tioners/claimants and grant to the peti-
tioners/claimants from the date of the ap-
pointment of the respective petitioners/
claimants. The benefit of pay scale of
Shiv Shanker Committee including ex-
gratia payment.
- (ii) This Hon'ble Tribunal may further be
pleased to direct the Respondent to refix
the salary of the respective petitioners/
claimants according to the Shiv Shankar
Pay-scale and pay the amount of arrears
on such calculation to the petitioners/
claimants alongwith interest @ 24 per cent
per annum for illegally and unlawfully
holding the benefits of Shiv Shankar Com-
mittee pay-scales including ex-gratia pay-
ment to the petitioners/claimants from the
date the petitioners/claimants became en-
titled to such revision of pay scales.
- (iii) Such other or further order including the
cost of the present claim petition may also
be granted in favour of the petitioners/
claimants and against the Respondent as
this Hon'ble Tribunal may deem fit and
proper in the facts and circumstances of
the present case.

3. It is to be recalled that before approaching this
Tribunal the petitioners had preferred a writ peti-
tion No. 2084/98 for the similar relief before the
Hon'ble High Court of Delhi. Vide order on
15-5-98 of the Hon'ble High Court of Delhi
the petitioners were directed to approach the Central
Administrative Tribunal and it was also directed
that the Central Industrial Tribunal Labour should
adjudicate and decide all the issues raised by the
parties and to give its award in accordance with
law. The copy of the order of Hon'ble High Court
is filed alongwith the petitioner's petition. This is
how the petition have been filed in this Tribunal by
the petitioners.

4. At the very outset I feel it necessary that for
proper appreciation of the points in dispute in the
case and the contentions of the rival parties some
factual and historical facts born out by the material
available on the record in brief be dealt with.

5. Undisputedly within State of Delhi there were
two civil bodies viz. Delhi Municipal Corporation in
short M.C.D. and New Delhi Municipal Committee
in short N.D.M.C. N.D.M.C. was older body and
existed prior to 1947. It was discharging all civil
functions including supply of water and electricity in
the areas falling within its jurisdiction. In the year
1957 by the Delhi Municipal Corporation Act (1957)

after referred to as Act) M.C.D. came into existence and the smaller other civil bodies than existing dependently to N.D.M.C. were amalgamated in it.

6. N.D.M.C. was a compact Unit but its civil work was directed into various departments and both the technical staff as well as non-technical staff were engaged by N.D.M.C. The non-technical staff consisted of the Municipal Staff Clerk etc. As regards the set up of MCD I find it not necessary to give since the dispute presently existing is between N.D.M.C. and the petitioners who are its employees but suffice is to say that the Corporation Act as prescribed for the constitution of wings such as Electricity Wing, General Wing and Water Sewerage Wing. The electricity Wing of M.C.D. was designated as Delhi Electricity Supply Undertaking commonly known as DESU.

7. It is to be noted that after the publication and enforcement of 3rd Pay Commission in order to satisfy the demands of the employees of M.C.D. and N.D.M.C. the pay scale recommended by the 3rd pay commission was accepted by the M.C.D. and N.D.M.C. but the technical staff of DESU of M.C.D. was not satisfied with the pay scale recommended by the third pay commission and they demanded for a higher pay scale. Consequently a committee known as Shiv Shankar Committee in short (hereinafter referred to as SSC) was constituted by the Government to examine the demands of the Technical staff of DESU. The S.S.C. submitted its report in the year 1973 in favour of the technical staff of DESU. Thereafter the non-technical staff and ministerial staff of DESU who were not covered by the SSC report had raised their demands in the similar benefits which was accepted accordingly.

8. Now comes the turn of N.D.M.C. and since the technical and ministerial staff working in DESU were granted Pay Scale recommended by S.S.C. by the M.C.D. N.D.M.C. also decided to give the same benefit to the Technical and Ministerial staff working in its electricity wing. On the assumption that the staff working in the electricity wing were performing the same functions and duties as performed by the staff of D.E.S.U. This was done by Resolution dt. October 19, 1973 of the N.D.M.C. The action of the N.D.M.C. granting pay scale to the staff of electricity wing ministerial and technical has raised discontentment amongst the staff working in the general wing of N.D.M.C. and they started claiming that they should also be given said benefit of the report of SSC and for that writ petitions were also filed before the Hon'ble Supreme Court of India. In the case of R. D. Gupta, Vs. Lt. Governor of India and others (1987) 4 SCC 505 of the ministerial staff working under N.D.M.C. were directed to be given the same benefit of S.S.C. report and in compliance of the aforesaid directions of the Hon'ble Supreme Court of India, N.D.M.C. had given the benefit of the Supreme Court also to all its ministerial staff of the three wings. It is further to be noted that the employees of the categories consisting of Auto Workshop Employees Duplicating Machines Operators, Gunmen, Dock Shooters, Junior Technical Assistant (Hindi) Translators Hindi, Assistant Store Keeper, Pump Drivers, School employees and Telephone Operators were denied the said benefit of S.S.C. report and thus they had also approached Hon'ble Supreme Court and vide its

judgment and order reported in the case Narinder Kumar and others Vs. Dharam Dutt and others 1993 supplementary 3 SCC 205. The Hon'ble Supreme Court has extended the same benefit of S.C.C. to these employees also that an exception to the school employees and Telephone Operators of N.D.M.C.

9. Now coming to the main case the allegations of the petitioners made in the petition in short is that they were the employees of the N.D.M.C. being appointed on the post named as Attorney which according to the petitioners is other nomenclature given to the post of Assistants Clerks of N.D.M.C. The recruitment rule as well as the terms and conditions of the service of Attorney and also of assistant clerk were the same and both the categories aforesaid were governed by the same recruitment rules and terms and conditions of services.

10. The fact that the attorneys as well as Asstt. Clerks of N.D.M.C. were governed by the same recruitment rules and terms and conditions of services according to the petitioners clearly shows that both the categories belonged to the ministerial 'C' posts.

11. The petitioners have further alleged that as attorneys they were placed in the law department of N.D.M.C. and were looking after the litigation matters of N.D.M.C. in the various courts including Hon'ble High Court of Delhi as well as of Hon'ble Supreme Court of India. In this manner they have further stated that they were performing the same functions which were being performed by the Assistant Clerk Junior Clerk and by Senior Clerks of N.D.M.C. It is again stated by the petitioner that there was no difference of any nature in their functions and activities performed by the attorneys and the assistant clerk and both the posts were interchangeable and inter transferable and further attorneys as well as Assistant Clerk both formed a common cadre for promotion to the post of junior clerk. The next promotional post is the only criteria for the promotion to the junior clerk was seniority in the common cadre of attorneys and of assistant clerk. It is further alleged by the petitioners that undisputedly the assistant clerks were granted benefit of the S.S.C. report whereas the petitioner's were deprived of the same benefit despite the representations and reminders given by them the copy of one of such representation and reminder are annexure F of the petition. It is also stated that vide resolution dated 27-6-78 N.D.M.C. had constituted the electricity Wing w.e.f. 1-5-78 or from such subsequent date as may be fixed with 28 post of Pump Drivers, two posts of baledars and three posts of car drivers and one post of pump mechanic and 496 posts of ministerial staff and had given all of them pay scales as recommended by the S.S.C. Committee. The said 496 posts of Ministerial Staff created were treated as ex-cadre post and even then benefit of SSC report was given to the said ministerial staff.

12. The N.D.M.C. has contested the petitioners petition and has filed written statement. In the beginning following preliminary objections have been raised in the written statement.

1. Claim is highly belated and dispute between the parties had abated. In this respect the

specific contention of the N.D.M.C. is that the petitioners have based their claim on the SSC report and on the various resolutions of N.D.M.C. giving benefit of the pay scale to some of the staff members as per SSC report. The first resolution was passed on 19-10-87 and second was passed on 9-2-88 and further on various dates in the year 1988 extending benefit of report of SSC to the various categories of the workers the petitioner has failed to take any step then and the claim by the petitioners now is liable to be rejected, summarily.

2. Secondly the petitioner's objection is that the petition has not been filed by the petitioner in accordance with the provisions of the I.D. Act (hereinafter referred to as Act 1947) no dispute as declined under section 2(k) of the Act thus is said to be raised. The dispute has also not been espoused by the competent body of the workman or by the Trade Union of the workers having locus standi to do so. The petitioner has also failed to approach the Tribunal without going into conciliation proceeding and the petitioner's petition has to be rejected.

3. The next objection is that the appropriate Government in relation to the dispute arising in N.D.M.C. to the Delhi Government and not Central Government hence it was the Industrial Tribunal which can be constituted by the Delhi Government was only competent to try the dispute and the petitioners' claim is liable to be rejected on this ground also.

13. On merit it is denied by the N.D.M.C. that attorney is another given to the post of Assistant Clerk and functions and responsibilities of attorneys and assistant clerk are similar. According to the N.D.M.C. the attorneys are a separate and distinct cadre posted only for the legal work of the N.D.M.C. and they function only in the law department.

14. The N.D.M.C. has denied that the services of the attorneys were transferable and inter changeable. They have also denied that attorneys were doing ministerial functions in this respect the assertion subsequently is that the attorneys were posted in the field such as various courts in Delhi and the Assistant clerks and clerks were posted in the other wings of N.D.M.C. The Cadre of attorney is distinct and separate from the assistant clerk. It is further asserted by the N.D.M.C. that in view of the direction of the Hon'ble Supreme Court the benefit of S.S.C. Report was given to the Ministerial staff only and since the petitioners never belonged to the ministerial staff their claim for the benefit of the SSC report cannot be allowed. However, it is not denied by the N.D.M.C. that there was a common seniority maintained in respect of the attorneys and assistant clerks but has stated that it would never mean that the attorneys as well as assistant clerks were performing the same functions and obligations.

15. The petitioners in the rejoinders filed again the written statement have reiterated their allegations made in the petition and have controverted the allegations of the N.D.M.C. made in this respect of fact that the class of attorneys and assistant clerks was different and distinct and the attorneys never belonged to the ministerial staff.

16. Both the parties have led evidence in the case. Each of the petitioners has filed his affidavit in support of their case. On behalf of the N.D.M.C. only one affidavit of Shri Bhagmal Bali Senior Assistant Personnel Department (Secretary Establishment N.D.M.C. has been filed).

17. Since the affidavit filed by the petitioners in the case were consisting the same facts hence only two petitioners namely Shri Ram Avtar Gupta WW1 and Shri D. K. Sharma WW2 were examined on. Both of them have proved their affidavit marked E WW1/1 and WW2/1 respectively. They have also been cross-examined by N.D.M.C. Shri E. Bali MW1 has proved his affidavit marked as MW 1. He has also been cross-examined on behalf of the petitioners.

18. Arguments were heard and necessary material perused.

19. After having considered the submissions of both parties and facts and circumstances of the case nor of the preliminary objections raised by the N.D.M.C. against the maintainability of the petitioner's petition is found satisfactory.

20. It is beyond doubt that the provisions of the Limitation Act are not applicable in the cases arising under the Act. No limitation for filing petition etc. is provided under the Act. Apart from it I find that it is recognised principle that an employee is entitled in law to get his full salary and if he is denied payment of full salary it gives a continuing cause of action. Giving a fresh limitation to prefer his claim in the court of law. In this view of the matter also the petitioner's petition I find cannot be held to be delayed as contended by the N.D.M.C. This objection of N.D.M.C. is thus rejected.

21. As regards the next objection that the petition has been filed without complying the provisions of the Act and without espousal of the competent party I find that this objection of the N.D.M.C. has also got no force. Undoubtedly petition has been preferred by the petitioners in this Tribunal on the direction of the Hon'ble High Court of Delhi given in the writ petition No. 2084 of 1998 filed by the petitioners on the same facts. Hon'ble High Court of Delhi while giving direction to the petitioners to prefer their claim before this Tribunal has made specific observations in this respect. The observations of Hon'ble High Court of Delhi so made is mentioned below:—

"Since in similar matters, the writ petitioners were directed to approach the Central Industrial Tribunal (Labour) with a further direction to the said Tribunal to adjudicate upon all the points raised by the petitioners and the respondents, I do not find any reason to depart from the said view on consideration

of the facts and circumstances of the present case.

Learned counsel appearing for the petitioners, however, states that the petitioners are apprehensive that the respondents may take the plea that the points which may be urged by the petitioners would not come within the purview of the Central Industrial Tribunal or that reference is to be routed from the Delhi Administration.

The directions as contained herein are being issued in pursuance of the direction of the Supreme Court and, therefore, the apprehension of the petitioners are misplaced and the case shall not be thrown out on the aforesaid grounds.

In that view of the matter, I direct the petitioners to approach the Central Industrial Tribunal (Labour)."

The above observation of the Hon'ble High Court of Delhi clearly shows that keeping in view the objection of the N.D.M.C. so made the Hon'ble High Court has given the said direction of filing the petition in the Tribunal. The direction of the Hon'ble High Court of Delhi I find has a binding precedent on this Tribunal and it cannot be deviated in any manner. In this respect it is also important to note that in the similar manner but on the directions of the Hon'ble Supreme Court of India had earlier given direction in the writ petitions preferred by some of the employees of the N.D.M.C. which was registered as a writ petition No. 647/1992 Rajinder Pd. and others Vs. Ld. Governor of Delhi and another and on the direction of the Hon'ble Supreme Court of India after the receipt of the records of the writ petition aforesaid the dispute was registered in this Tribunal as I.D. No. 60/95 and it was decided by this Tribunal vide award/order dated 27-2-1997. The petitioners have stated about the aforesaid award in the petition and it has not been denied by the N.D.M.C. The said award I have been given to understand has become final. Thus on this ground too the N.D.M.C. objection is not found satisfactory and is rejected.

22. Now coming to the merit of the case it is undoubtedly true that the employees of the N.D.M.C. belonging to ministerial staff have been given the benefits of SSC report even on the direction of Hon'ble Supreme Court of India given in the case of R. D. Gupta Vs. Delhi Administration and others Delhi Govt. Supra and Narinder Kumar and others Vs. Dharam Dutt and another Supra.

23. Thus point for consideration mainly arises is whether the petitioners belonged to the ministerial staff and are entitled to get the benefit of S.S.C. report for the payment of higher pay scale and other allowances.

24. On behalf of the N.D.M.C. it is strongly objected that the petitioners belonged to the ministerial staff according to them the petitioners since were appointed as attorneys their function was that of a parokar in the litigation matter of N.D.M.C. and their substantial duties were to follow legal cases of

the N.D.M.C. in the courts and with the lawyers of N.D.M.C. and S.S.C. N.D.M.C. Lawyers in preparing and conducting the various court cases and thus their duties and functions which were well known it is clearly established that their substantial duties were only in field and they could only be the field worker.

25. It is also asserted on behalf of the N.D.M.C. that it was the predominant and main function and not the incidental or peripheral functions which determines the category of an employee and thus if there was some minor clerical work involved in the case of the petitioners they cannot claim their main functions as ministerial in nature.

26. The petitioner's on the other hand have, however maintained that the duties performed by them clearly shows that they were performing the ministerial functions. In this respect the clear assertion of the petitioners are that the recruitment rules as well as terms and conditions of the service clearly shows that post of attorney was a ministerial post. Their recruitment rules certainly shows that it was the same which was for the post of clerical assistants and there was no difference in the duties and functions of the attorneys and clerical assistants. They have further claimed that they were performing the functions akin to the junior clerks and the senior clerk of N.D.M.C. The petitioners have claimed parity in this respect with the assistant clerks of the N.D.M.C. and have asserted that the recruitment rules and terms and conditions of the recruitment of both the attorneys and assistant clerks are the same. Both the posts of attorneys and assistant clerks were interchangeable and inter transferable and it has a common channel of promotion to the post of Junior clerk on the basis of seniority in the common cadre of attorney and assistant clerks. They have denied that they were the field workers. In this respect they have asserted that it was not the fact that the attorneys were placed only in the law department of N.D.M.C. but were also placed in other staff officers of municipal council at Tis Hazari Courts, Patiala House Courts, in the office of standing counsel and legal adviser and used to prepare court file and also to receive and despatch the dak to assist advocate in the court and to prepare the day today functioning of the progress report of the office and their counsel to report to their superiors to prepare the case for purpose of filing in the court and these all goes to show that they were performing ministerial functions.

27. It is also asserted by the petitioners that the Assistant clerks junior clerks and senior clerks have undoubtedly been given benefit of SSC report and higher pay scale on the ground of being ministerial staff.

28. I proceed to examine it. At the very outset I will like to find that although on behalf of the N.D.M.C. a strong plea has been taken that the petitioners do not belong to the ministerial staff and are not entitled to get higher pay scale according to SSC report but the N.D.M.C. has failed to substantiate its assertions with any cogent proof. The petitioners while asserting that they belonged to the ministerial

staff having clearly claimed parity with the assistant clerks of N.D.M.C. and have stated that as per the recruitment rules and the terms and conditions of services clearly shows that both of these posts are similar. Both of these posts are common federal channel for the promotion on the post of Junior Clerk on the basis of a common seniority so maintained. It is nowhere subsequently denied by the N.D.M.C. The petitioners have clearly stated about all these facts in the affidavits filed by them. The petitioners namely Shri Ram Avtar Gupta and Shri D. K. Sharma who have also stated on oath have confirmed it. N.D.M.C. has not been able to elicit anything favourable to it. Both these petitioners have denied the suggestions given to them by the N.D.M.C. that their post was neither transferable nor interchangeable and also that they do not belong to the ministerial group. I do not find any reason to disbelieve the affidavit of these petitioners in the evidence given on behalf of the N.D.M.C. it is found that Shri Bhag Mal Bali whose affidavit has been filed and who has been examined in the case as MW1 is only a senior assistant and is not holding any administrative post. However, I find that in the cross-examination he has admitted the case of the petitioners. He has stated that in N.D.M.C. posts of Assistants and Assistant Clerks do exist and the Assistant Clerk has now been designated as clerical assistant and the attorneys has also been designated as court clerk recently. Thus the evidence of Bhagmal Bali clearly shows that the post of Assistant Clerk and attorneys are the same. It is further found that undisputedly now it is an established fact that post of Assistant Clerk falls under the ministerial staff and thus in view of the matter the post of attorneys as well as assistant clerk both have been found to be same. I find it will be unjustified to hold that the petitioners do not belong to the ministerial clerk. On the ground of parity which I find the petitioners have been able to establish from the above facts it will be unjust and improper that they do not belong to the ministerial group.

29. Admittedly the assistant clerks have been given the benefit of higher pay scale as per SSC reports and if the same benefit is denied to the petitioners under the circumstances it in my view will be discriminatory and will neither be just nor legal.

30. The petitioners thus I find are entitled for the benefit of higher pay scale and other allowances as per S.S.C. report as has been given to other ministerial staff of N.D.M.C.

31. That apart I find that undoubtedly benefit of higher pay scale and allowance as per S.S.C. report has been allowed to the following group of employees of N.D.M.C. i.e. a workshop employees, duplicate machine operator, gunman dock shooters, junior

technical assistants now translator Hindi Assistant, Store Keeper, Pump Drivers on the directions of the Hon'ble Supreme Court of India given in the case of Narinder Kumar and other Vs. Dharam Dutt and others Supreme then why not the same benefit should be given to the petitioners for working as an attorney and on this ground too I find that the petitioners claim for the grant of higher pay scale and allowance as per S.S.C. report is justifiable and proper.

32. Again petitioners have based their claim of the payment of higher pay scale in accordance with S.S.C. report on the principle of equal pay for equal work also asserting parity with assistant clerk. The principle of equal pay for equal work has well been accepted by Hon'ble Supreme Court of India in the case of Dhirender Chamoli and another vs. State of U.P. 1986 S.C.C. (L & S) 187. Hence principle I find can well be accepted in the case of the petitioner particularly when petitioner's case of parity with assistant clerk has been accepted above. The contention of the petitioner made in this respect is accepted. In the end I will like to remark that N.D.M.C. is undoubtedly a public body within the scope of Art. 12 of the constitution of India and thus it is necessary for N.D.M.C. to deal all its employees equally and jointly while dealing with the questions of fairplay. Hon'ble Supreme Court has held in the case of K. I. Shephard Vs. Union of India (1988 Lab-I.C. 1497) para 15 that :

"Fair play is a part of public policy and is guarantee for justice to the citizens. In pursuance of the Rule of law every social agency conferred with powers is required to act fairly so that the social action would be just and there would be furtherance of the well being citizens."

33. It is thus found that the action of N.D.M.C. for not allowing them the benefit of higher pay scale etc. as per S.S.C. report on hypertechnical objections is neither justified nor proper.

34. In view of the discussions made above the petitioners prayers made in the petition and referred to as above is allowed and the award in the case is given accordingly. It is directed that the amount found due to each of the petitioners shall be calculated and paid to them as arrears from the date of their entitlement it should be done by the N.D.M.C. within three months from the date of the publication of the award in the gazette etc.

22-1-2001.

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K. S. SRIVASTAV, Presiding Officer